



U.S. Department  
of Transportation

Pipeline and  
Hazardous Materials  
Safety Administration

DEPT OF TRANSPORTATION  
DOCS

2005 DEC -1 P 14:22

Office of  
Chief Counsel

376 380

400 Seventh Street, S.W., Room 8417  
Washington, D.C. 20590-0001  
Phone: (202)366-4608  
Fax: (202) 366-7041  
E-mail: maria.wodraska@dot.gov

**Hazardous Materials Safety  
Law Division**

**NOTICE OF PROBABLE VIOLATION**

PHMSA Case No.: 05-0513-SD-CE      Date Issued: DEC 1, 2005

Docket No.: PHMSA-2005-23201 -1

Respondent: St. George Warehouse, Inc.  
2035 E. Vista Bella Way  
Compton, CA 90220  
Attn: Anthony Fortunato, CEO

No. of Alleged Violations: 3

Maximum Possible Assessment: \$97,500

Total Proposed Assessment: \$3,900 (Includes a \$1000 reduction for corrective action)

The Office of Chief Counsel of the Pipeline and Hazardous Materials Safety Administration (PHMSA) alleges that you (the Respondent named above) violated certain provisions of the Federal Hazardous Materials Transportation Law, 49 U.S.C. § 5101 et seq., and/or the Hazardous Materials Regulations (HMR), 49 C.F.R. Parts 171 - 180. PHMSA sets forth the specific allegations in Addendum A to this Notice.

What is the maximum and minimum civil penalty that PHMSA can assess? Federal law sets a civil penalty of not more than \$32,500 and a civil penalty of not less than \$275 for each violation of the Federal Hazardous Materials Transportation Law or the HMR committed after October 1, 2003, and no more than \$27,500 and no less than \$250 for each violation occurring before October 1, 2003 but after January 21, 1997 (49 C.F.R. § 107.329(a)). Each day of a continuing violation constitutes a separate violation for which the maximum penalty may be imposed (49 U.S.C. § 5123(a)(2)).

What factors does PHMSA consider when proposing and assessing a civil penalty? Federal law requires PHMSA to consider certain factors when proposing and assessing a civil penalty for a violation of Federal Hazardous Materials Transportation Law or the HMR. Please refer to Addendum B to this Notice for more information concerning these factors.


When is my response due? You must respond within thirty (30) days from the date you receive the Notice (49 C.F.R. § 107.313(a)), unless you have made a written request for an extension, which must have been approved by PHMSA (49 C.F.R. §107.313(c)). Due to security concerns, mail delivery from the United States Postal Service (USPS) is experiencing significant delays. As a result, you should allow at least 72 hours for delivery, even for overnight service by the USPS. To assure timely receipt, **PHMSA strongly encourages you to submit your response by e-mail, fax, or express mail.** A response received out of time will not be considered.

What are my response options? You may respond to this Notice in any of three ways:

- (1) Admit the alleged violations and pay the proposed assessment (49 C.F.R. § 107.313(a)(1));
- (2) Send an informal response, which can include a request for an informal conference (49 C.F.R. § 107.313(a)(2)); or
- (3) Request a formal hearing (49 C.F.R. § 107.313(a)(3)).

PHMSA provides information on these options in Addendum B to this Notice and the Office of Chief Counsel's homepage (<http://rspa-atty.dot.gov>). PHMSA explains its procedures for assessing civil penalties and imposing compliance orders in 49 C.F.R. § 107.307 through 107.331.

What happens if I fail to respond? You waive your right to contest the allegations made in Addendum A to this Notice if you fail to respond within thirty (30) days of receiving it (or by the end of any extension). Also, the Acting Chief Counsel may make a finding of fact consistent with the allegations in this Notice and assess an appropriate civil penalty if you fail to respond within the applicable time frame.

  
Maria Wodraska, Attorney  
Phone: (202) 366-4608  
[maria.wodraska@dot.gov](mailto:maria.wodraska@dot.gov)

Enclosures: Addendum A  
Addendum B  
Addendum C  
Case Exhibits

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

PHMSA Case No. 05-0513-SD-CE

## **SPECIFIC ALLEGATIONS**

### Probable Violation No. 1

Respondent offered for transportation in commerce a hazardous material, in a quantity requiring placarding, when Respondent had not developed and implemented a security plan, in violation of 49 C.F.R. §§ 171.2(a), 172.800(b), 172.802.

### Factual Allegations/Averments

A. On April 5, 2005, Respondent offered and transported 11,200 kg. (24,640 lbs.) of hazardous materials (Corrosive Solid Basic Organic, n.o.s. (Sodium P-Toluenesulfoncloramide), 8, UN3263, PGIII) in commerce.

B. On April 5, 2005, Respondent had not developed or implemented a security plan.

- Please see Inspection/Investigation Report Number 05431043 at page 2, and the exhibits that accompany this report, which are incorporated herein.

### Probable Violation No. 2

Respondent offered for transportation in commerce hazardous materials, in amounts requiring placarding, without registering with the Department of Transportation as an offeror of hazardous materials, in violation of 49 C.F.R. §§ 171.2(a), 171.2(d), 107.601(a)(6), 107.608(a) and (b) and 172.504(a).

### Factual Allegations/Averments

A. On April 5, 2005, Respondent offered and transported 11,200 kg. (24,640 lbs.) of hazardous materials (Corrosive Solid Basic Organic, n.o.s. (Sodium P-Toluenesulfoncloramide), 8, UN 3263, PGIII) in commerce.

B. On April 5, 2005, Respondent had not applied for a Hazardous Materials Certificate of Registration and registered with the U.S. Department of Transportation as an offeror of hazardous materials.

- Please see Inspection/Investigation Report Number 05431043 at page 3, and the exhibits that accompany this report, which are incorporated herein.

Probable Violation No. 3

Respondent allowed employees to perform functions subject to the HMR when these hazardous materials employees had not received hazardous materials general awareness, function-specific, safety, and in-depth security training and testing, and records of current hazmat training were not retained in violation of 49 C.F.R. §§ 171.2(a), 172.702(a) and 172.704(a)(1), (2), (3) and (5), and 172.704(d).

Factual Allegations/Averments

A. Respondent employs personnel who prepare hazardous materials for transportation in commerce, load and unload hazardous materials, prepare shipping papers for hazardous materials shipments, sign shipper certifications and who perform other functions subject to the HMR.

B. On or about April 5, 2005, Respondent's employees performed all or some of the functions listed in paragraph A above.

C. On April 5, 2005, some of Respondent's hazmat employees had not received training and testing in the following areas:

- 1) General awareness/familiarization;
- 2) Function-specific;
- 3) Safety; and
- 4) In-depth security training.

- Please see Inspection/Investigation Report Number 05431043 at page 4, and the exhibits that accompany this report, which are incorporated herein.

**FACTS ALREADY CONSIDERED (UNDER 49 C.F.R. § 107.331) IN SETTING  
PROPOSED PENALTIES**

Prior Violations of the Hazardous Materials Regulations:

PHMSA increases proposed penalties when Respondent has committed a prior violation of the Federal Hazardous Materials Transportation Law or the HMR within the last six years, as determined through a civil penalty case, criminal case, or ticketing process (49 C.F.R. § 107.331(d)). More specifically, "the general standards for increasing a baseline proposed penalty on the basis of prior violations are . . . (1) for each prior civil or criminal enforcement case –25% increase over pre-mitigation recommended penalty, and (2) for each prior ticket–10% increase over pre-mitigation recommended penalty" (49 C.F.R. Part 107, Subpart D, Appendix A, Section IV, E).

PHMSA's records do not contain any prior violations by Respondent and PHMSA did not consider any prior violations in determining the proposed assessment for the violation in this Notice.

Corrective Action:

An important purpose of PHMSA's enforcement program is to bring the regulated community into compliance with the Hazardous Materials Regulations, and to promote ongoing efforts by that community to maintain compliance. In determining the final penalty assessment, PHMSA considers documented evidence of actions taken by a Respondent to correct violations and ensure that they do not recur (49 C.F.R. § 107.331 (g)).

In its June 17, 12, and September 21, 2005 correspondence, Respondent described and documented its corrective action as follows:

Probable Violation No. 1 – Respondent developed and implemented a written security plan and provided its employees training on the security plan. Based on this corrective action, the proposed penalty has been reduced by \$450. Further mitigation of the proposed penalty may be available if Respondent provides a certified statement indicating that the written security plan complies with the requirements in 49 C.F.R. § 172.802. Respondent is encouraged to provide a list of the elements contained in the security plan or the security plan's table of contents. PHMSA also requests Respondent to provide copies of its in-depth security training records kept in accordance with the recordkeeping requirements of 49 C.F.R. § 172.704(d).

The HMR set out specific requirements for hazardous materials training record keeping. The HMR require that the training records include:

- (1) The hazmat employees name;
- (2) The most recent training completion date of the hazmat employee's training;
- (3) A description, copy or the location of the training materials used to meet the requirements;
- (4) The name and address of the person providing the training; and
- (5) Certification that the hazmat employee has been trained and tested, as required.

*See 49 C.F.R. § 172.704(d).*

Probable Violation No. 2 – Respondent registered with the U.S. Department of Transportation as is required by 49 C.F.R. Part 107, Subpart G, and provided a copy of its certificate of registration. Based on this corrective action, the proposed penalty has been reduced by \$250.

Probable Violation No. 3 – Respondent provided hazardous materials training and submitted copies of its hazardous materials training records. Based on this corrective action, the proposed penalty has been reduced by \$300.

Financial Status

Under 49 C.F.R. §107.331 (e) and (f), the proposed penalty may be reduced if Respondent demonstrates that it is unable to pay that penalty, or if payment of the proposed penalty would affect Respondent's ability to continue in business. Respondent's poor financial condition may be a basis for reducing the proposed penalty; a healthy financial condition is *not* a basis for increasing the penalty.

PHMSA has no information that indicates that Respondent is unable to pay the proposed penalty. If Respondent believes it lacks the ability to pay the proposed penalty or that the proposed penalty will affect Respondent's ability to continue in business, Respondent should submit a current balance sheet (certified if possible) or other evidence of its assets and liabilities.

**TOTAL CIVIL PENALTY PROPOSED**

Probable Violation	Maximum Possible Penalty	Baseline Penalty	Increase for Priors	Corrective Action	Proposed Penalty
1	\$32,500	\$3,000	\$ 0	\$450	\$2,250
2	\$32,500	\$1,000	\$ 0	\$250	\$ 750
3	\$32,500	\$1,200	\$ 0	\$300	\$900
<b>TOTAL</b>	\$97,500	\$5,200	\$ 0	\$1,000	<b>\$3,900</b>

DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

How do I respond to this Notice of Probable Violation (Notice)?

You may respond to this Notice in any of three ways:

- (1) Pay the proposed assessment (49 C.F.R. § 107.315);
- (2) Send an informal response, which can include a request for an informal conference (§ 107.317); or
- (3) Request a formal hearing (§ 107.319).

How do I pay the proposed assessment?

You pay the proposed assessment by:

- (1) Sending a wire transfer, through the Federal Reserve Communications System (Fedwire), to the U.S. Treasury account (49 C.F.R. § 89.21(b)(3). Addendum C contains the instructions for sending wire transfers. Questions concerning wire transfers should be directed to: Financial Operations Division (AMZ-300), ATTN: Shelley Willis, Federal Aviation Administration, Mike Monroney Aeronautical Center, P.O. Box 25082, Oklahoma City, OK 73125 (Telephone No. 405-954-8893).

Or

- (2) Sending a certified check or money order if the penalty amount is \$10,000 or less. The certified check or money order must be payable to the "U.S. Department of Transportation" and must be mailed to the Chief, Financial Operations Division, Attn: Shelley Willis, Federal Aviation Administration, Mike Monroney Aeronautical Center, AMZ-300, P.O. Box 25082, Oklahoma City, OK 73125.

Or

- (3) Using a credit card via the Internet. To pay electronically with a credit card, visit the following website address and follow the instructions:

<https://www.pay.gov/paygov/>

Where do I send my response?

You must address your informal response or formal hearing request to the attorney who issued the Notice at the following address:

Pipeline and Hazardous Materials Safety Administration  
Office of the Chief Counsel (PHC-10)  
Room 8417  
U.S. Department of Transportation  
400 Seventh Street, S.W.  
Washington, D.C. 20590-0001

When is my response due? (§ 107.313)

You must respond to the Notice within thirty (30) days of the date you receive it. The attorney who issued the Notice may extend the 30-day period for your response if you ask for an extension, and show good cause, within the original 30-day period.

What happens if I do not respond? (§ 107.313)

If you fail to respond to the Notice within thirty (30) days of receiving it (or by the end of any extension), you will waive your right to contest the allegations made in Addendum A to the Notice. In addition, the Chief Counsel will issue a default Order finding the facts as alleged in the Notice and assessing the civil penalty as outlined within that notice.

May I propose a compromise offer? (§ 107.327)

Yes. At any time before an order is issued and referred to the Attorney General for collection, you may propose to compromise a civil penalty case by submitting a specific compromise offer amount to the attorney handling the case (§ 107.327). The Chief Counsel may also propose a compromise.

If a compromise is agreeable to all parties, the attorney handling the case will forward a compromise agreement to you for signature. This document will outline the terms of the joint agreement and you must return a signed original to the attorney handling the case within 30 days. After this agreement has been returned it will be signed by the assigned attorney and presented to the Chief Counsel with a request that the Chief Counsel adopt the terms of that agreement by issuing a Compromise Order (49 C.F.R. § 107.327(a)(1)). The terms of the agreement constitute an offer of compromise until accepted by the Chief Counsel. When you agree to a compromise, you give up your right to appeal the order issued by the Chief Counsel.



What should I include in my informal response? (107.317)

Your informal response must contain written explanations, information or arguments that respond to the allegation(s), the amount of the proposed civil penalty, or the terms of a proposed compliance order. Provide complete documentation of your explanations and arguments. No specific format is required for an informal response.

May I request an informal conference? (107.317)

Yes. You may request an informal conference as part of your informal response. Please describe the issues you want to discuss during the conference. After receiving your request, the attorney handling the case will contact you to arrange the conference. Normally the conference will be held by telephone, and the attorney handling the case and the inspector who conducted the compliance inspection will participate in the conference.

What happens after I submit an informal response to the Notice?

We will hold an informal conference if you have asked for one. Based on the Notice, the evidence supporting the Notice, any written explanations, information and documentation that you provide, and matters presented at a conference, the Chief Counsel decides the case. The Chief Counsel may issue an order finding all or some of the violation(s) alleged in the Notice or may withdraw all or some of the alleged violation(s). If the Chief Counsel finds violation(s), the order will assess a civil penalty.

How do I appeal an order? (§ 107.325)

You may appeal an order to PHMSA's Administrator.

How do I request a formal hearing? (§ 107.319)

You must request a formal hearing within 30 days of the date that you receive the Notice. If you are granted an extension of time to respond to the Notice, you must submit a formal hearing request by the end of the extended time period. If you do not request a formal hearing within the specified time, you will waive your right to a formal hearing.

Your request for a formal administrative hearing must include the following:

- (1) The name and address of the respondent and any other person submitting the request;
- (2) A statement of which allegations of violations are not in dispute; and
- (3) A description of the issues that you will raise at the hearing. (The Administrative Law Judge will decide whether issues not raised in the request may be raised at the hearing.)

After receiving a request for a hearing that complies with these requirements, the Chief Counsel will request an Administrative Law Judge from the DOT Office of Hearings to preside over the hearing. Once an Administrative Law Judge is assigned, all further matters in the proceeding will be conducted by the Administrative Law Judge. Either you or PHMSA may appeal the decision of the Administrative Law Judge to PHMSA's Administrator.

How does PHMSA determine if I have committed a violation?

This is a civil penalty case and PHMSA uses the "knowingly" standard, which is defined in the Federal hazardous materials transportation law (See 49 U.S.C. 5123(a)(1)), in all civil penalty cases. The standard for a violation is similar to "negligence." After considering all the available information (including the additional information you provide in your response to the Notice), PHMSA must find either that (1) you had "actual knowledge" of the facts giving rise to the violation, or (2) you had "imputed knowledge," of the facts giving rise to the violation, in that a reasonable person acting in the circumstances and exercising reasonable care would have that knowledge. PHMSA does not need to find that you actually knew about, or intended to violate, requirements in the Federal hazardous material transportation law or the HMR.

What factors does PHMSA consider when proposing and assessing a civil penalty? (§ 107.331)

PHMSA considers the following factors when proposing and assessing a civil penalty for a violation of the regulations:

- (1) The nature and circumstances of the violation(s);
- (2) The extent and gravity of the violation(s);
- (3) The degree of your culpability;
- (4) Your history, if any, of prior offenses;
- (5) Your ability to pay the penalty;

- (6) The effect of the penalty on your ability to continue in business;
- (7) The size of your business, and
- (8) Other matters as justice may require.

The nature and the timeliness of any corrective action you take to prevent future violations of a similar nature will be considered under item No. 8. However, you must submit documented evidence of that corrective action to the PHMSA attorney. If you have submitted documented evidence regarding any of these factors during PHMSA's investigation of the alleged violation(s) and that documentation is referenced in the Notice or accompanying Inspection/Investigation Report, you do not need to resubmit it.

Under the Small Business Regulatory Enforcement Fairness Act (SBREFA), PHMSA must consider the rights of small entities in enforcement actions. PHMSA's hazardous materials enforcement program has been designed to consider small businesses and the penalties that PHMSA proposes and assesses are generally considered appropriate for small businesses. PHMSA takes into consideration the size of the company when proposing and assessing a civil penalty.

However, special consideration may not be given to a small business if:

- (1) The small business has not corrected its violation(s) within a reasonable time;
- (2) The small business has committed one or more prior violations of the HMR;
- (3) The violations involve willful conduct;
- (4) The violations pose serious threats to health, safety or the environment; or
- (5) The small business has not made a good faith effort to comply with the law.

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. Our objective is to ensure a fair regulatory enforcement environment.

You have a right to contact the Small Business Administration's national Ombudsman at 1-888-REG-FAIR (1-888-734-3247) or [www.sbs.gov/ombudsman](http://www.sbs.gov/ombudsman) regarding the fairness of the compliance and enforcement activities by this agency.

The Pipeline and Hazardous Materials Safety Administration strictly forbids retaliatory acts against its employees. As such, you should feel confident that you will not be penalized for expressing your concerns about compliance and enforcement activities.

Where can I find more information on how PHMSA handles hazardous materials enforcement cases?

A more detailed discussion of these procedures is in 49 C.F.R. §§ 107.301 through 107.333. These procedures are also on the Office of the Chief Counsel's home page at "<http://phmsa-atty.dot.gov>."

**INSTRUCTIONS FOR ELECTRONIC FUNDS TRANSFER TO  
THE FEDERAL AVIATION ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION**

1. <b><u>RECEIVER'S ABA NO.</u></b> 021030004	2. <b><u>TYPE SUBTYPE</u></b> (provided by sending bank)
3. <b><u>SENDING BANK ABA NO.</u></b> (Provided by sending bank)	4. <b><u>SENDING BANK REF NO.</u></b> (Provided by sending bank)
5. <b><u>AMOUNT</u></b>	6. <b><u>SENDING BANK NAME</u></b> (Provided by sending bank)
7. <b><u>RECEIVER NAME:</u></b> TREAS NYC	8. <b><u>PRODUCT CODE</u></b> (Normally CTR, or as provided by sending bank)
9. <b><u>BENEFICIARY (BFN) - AGENCY LOCATION CODE</u></b> <b><u>BNF=/ AC 69-14-0001</u></b>	10. <b><u>REASONS FOR PAYMENT</u></b> Example: PHMSA - Payment for Case # / Ticket Number/Pipeline Assessment number

**INSTRUCTIONS:** You, as sender of the wire transfer, must provide the sending bank with the information for Block (1), (5), (7), (9), and (10). The information provided in blocks (1), (7), and (9) are constant and remain the same for all wire transfers to Pipeline and Hazardous Materials Safety Administration, Department of Transportation.

**Block #1 - RECEIVER ABA NO.- "021030004"**. Ensure the sending bank enters this nine-digit identification number; it represents the routing symbol for the U.S. Treasury at the Federal Reserve Bank in New York.

**Block #5 - AMOUNT** - You as the sender provide the amount of the transfer. Please be sure the transfer amount is punctuated with commas and a decimal point. EXAMPLE; \$10,000.00

**Block #7 - RECEIVER NAME - "TREAS NYC."** Ensure the sending bank enters this abbreviation; it must be used for all wire transfer to the Treasury Department.

**Block #9 - BENEFICIARY- AGENCY LOCATION CODE - "BNF=/AC-69140001"**  
Ensures the sending bank enters this information. This is the Agency Location Code for Pipeline and Hazardous Materials Safety Administration, Department of Transportation.

**Block #10 - REASON FOR PAYMENT - "AC-payment for PHMSA Case # / To**  
ensure your wire transfer is credited properly, enter the case number/ticket number or Pipeline Assessment number, and country."

**Note:** - A wire transfer must comply with the format and instructions or the Department cannot accept the wire transfer. You, as the sender, can assist this process by notifying, at the time you send the wire transfer to the General Accounting Division (405) 954-8893.

**Inspection / Investigation Report No. 05431043**

U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
Office of Hazardous Materials Enforcement

**Inspection Location:**

St. George Warehouse, Inc.  
775 Belden Ave.-Ste.A  
Addison, IL 60101

**Principal Office (if different):**

ST. George Warehouse, Inc.  
123 Pennsylvania Ave.  
South Carney, NJ 07032

**Contact:** Helen Jones, General Manager  
**Phone:** 630-543-8900  
**Fax:** 630-543-8930

**Contact:**  
**Phone:**

---

**Type of Inspection:** FREIGHT FORWARDER

**Result:** ENFORCEMENT REPORT

**Inspector:** CASTELLANOS, LUPE  
**Code:** DHM-43.1  
**Title:** HAZARDOUS MATERIALS  
ENFORCEMENT SPECIALIST

**Signature:**

**Inspector #2:**  
**Code:**  
**Title:**

**Supervisor Name:** Kevin W. Boehne  
**Title:** Chief, Central Region

**Authorization Date:** 10/12/2005

---

**Summary of Inspection**

On May 17, 2005, Sr.Hazardous Materials Enforcement Specialist Lupe Castellanos conducted a compliance inspection at St. George Warehouse, Inc., Addison, IL. Ms. Helen K. Jones, General Manager, Ms. Cindy Jarosz, Office Manager and Mr. Joe Wilson, Warehouse Manager represented the company during the inspection, guided the inspector through the facility, answered questions and provided copies of the paperwork requested.

St. George Warehouse, Inc. is a Freight Forwarder and a Warehousing facility that ships flammable and corrosive hazardous materials for transportation in both intrastate and interstate commerce. St. George's bills of lading dated: April 5, 2005 and March 4, 2005 are exemplary of these shipments (Exhibit 2).

The probable violations were explained to Ms. Jones, who signed for a copy of the exit briefing (Exhibit 1) and the Security Inspection Report (Exhibit 3).

On June 17, 2005, July 12, 2005, and September 21, 2005, Ms. Jones and Ms. Jarosz submitted corrective action addressing the probable violations (Exhibit 4).

**Violation Number: 1**

**Number Discovered: 1**

**49 CFR Section:**

172.802(a)(1),(2)&(3)  
171.2(a), and 172.802(a)  
172.802(b) and 172.800(b).

**Exhibit: 2 & 3**

---

**Violation Description:**

Offering for transportation in commerce a placardable hazardous material, Corrosive Solid Basic Organic, N.O.S. (Sodium P-Toluenesulfonchloramide), 8, UN 3263, PGIII, among others, when a written risk assessment and complete security plan had not been developed and implemented as prescribed in §172.802(a)(1),(2) and (3), in violation of 49 CFR §§ 171.2(a), and 172.802(a), 172.802(b) and 172.800(b).

**Evidence Summary:**

During the inspection, the inspector reviewed copies of St. George Warehouse, Inc.'s bill of lading dated April 5, 2005, showing a shipment of 20 pallets, 80 drums of Corrosive Solid Basic Organic, N.O.S. (Sodium P-Toluenesulfonchloramide), 8, UN 3263, PGIII, totaling 11,200 kg. (24,640 lbs.) (Exhibit 2, Page 3). This hazardous material shipment weighed over 1,000 lbs. requiring placarding as prescribed in Section 107.601(a)(5). When the inspector asked Ms. Jones for a copy of St. George's written Security Plan as required by Section 172.802 (b), Ms. Jones told the inspector they did not have a Security Plan, and Ms. Jones signed the Security Inspection Report certifying her statements (Exhibit 3).

Section 172.800 (b)(7) states that each person who offers for transportation in commerce or transports in commerce a quantity of hazardous material that requires placarding under the provisions of the regulations, must develop and adhere to a security plan for hazardous materials that conforms to the requirements. Furthermore, Section 172.802(a) states that the plan must include an assessment of possible transportation security risks for shipments of the hazardous materials listed in §172.800 and appropriate measures to address the assessed risks. In addition, Section 172.802(a)(3) states that the plan must include measures to address the assessed security risks of shipments of hazardous materials covered by the security plan en route from origin to destination, including shipment stored incidental to movement.

This violation was explained to Ms. Jones during the inspection.

**Violation Number: 2**

**Number Discovered: 2**

**49 CFR Section:**

171.2(a), 171.2(d) ,  
107.601(a)(6), 107.608(a)&(b)  
172.504(a)

**Exhibit: 2 & 4**

---

**Violation Description:**

Offering for transportation in commerce hazardous materials, Corrosive Solid Basic Organic, N.O.S. (Sodium P-Toluenesulfonchloramide), 8, UN 3263, PGIII, among others, of placardable amounts of hazardous materials which exceeded 1000 lbs., without submitting a complete and accurate registration statement no later than June 30 for each registration year, or in time to comply, in violation of 49 CFR §§171.2(a), 171.2(d) , 107.601(a)(6), 107.608(a)&(b) and 172.504(a).

**Evidence Summary:**

During the inspection, the inspector reviewed copies of St. George's bill of lading dated April 5, 2005, showing a shipment of 20 pallets, 80 drums of Corrosive Solid Basic Organic, N.O.S. (Sodium P-Toluenesulfonchloramide), 8, UN 3263, PGIII, totaling 11,200 kg. (24,640 lbs.) (Exhibit 2, Page 3). This hazardous material shipment weighed over 1,000 lbs. requiring placarding as prescribed in Section 107.601(a)(5). Ms. Jones told the inspector that St. George Warehouse, Inc. had not applied for a Hazardous Materials Certificate of Registration and was unable to present the inspector with a copy of a current registration. On June 17, 2005, Ms. Jones submitted correspondence which showed they had registered after the inspection and the certificate indicated an Issue date of May 26, 2005 (Exhibit 4, Page 3).

Section 107.608(b) states that no person required to file a registration statement may transport or cause to be transported or shipped hazardous materials unless such person has on file, in accordance with §107.620, a current annual Certificate of Registration in accordance with the requirements.

This violation was explained to Ms. Jones during the exit briefing.



**Violation Number: 3**

**Number Discovered: 3**

**49 CFR Section:**

172.704(a)(1), (2), (3) & (5),  
172.704(d), 171.2(a), 172.702(a)  
172.704(c)(1), 172.704(d) & 171.2(a)

**Exhibit: 2 & 5**

---

**Violation Description:**

Allowing an employee to perform a function subject to the requirements of the hazardous materials regulations (HMR), when General Awareness, Safety, Function Specific and In-Depth Security training were not conducted as prescribed in §172.704(a)(1), 172.704(a)(2), 172.704(a)(3) and 172.704(a)(5), and records of current hazmat training were not retained as prescribed in §172.704(d), in violation of 49 CFR, §§171.2(a), 172.702(a), 172.704(c)(1), 172.704(d) & 171.2(a).

**Evidence Summary:**

During the inspection, the inspector reviewed hazardous materials shipping papers which showed that St. George Warehouse, Inc. is offering corrosive hazardous materials for transportation in both intrastate and interstate commerce. St. George's bills of lading dated: April 5, 2005, March 4, 2005 and April 1, 2005, are exemplary of these shipments (Exhibits 2). The inspector requested the documentation showing that all employees involved in shipping hazardous materials have been trained as specified in §172.704.

During the inspection, Ms. Jones told the inspector that the company had a total of 10 hazmat employees, and that only two of her employees had received hazmat training. Ms. Jones provided the certificates of training for Mr. Joseph Wilson, Warehouse Manager and Ms. Cindy Jarosz, Office Manager (Exhibit 5). Ms. Jones told the inspector hazmat training had not been provided to any of the other warehouse employees and that there were no hazmat training records for them. Ms. Jones was unable to provide the inspector with any training records and/or information which showed that St. George's training program included all the required General Awareness, Function-specific, Safety, and In-Depth Security training material as prescribed in §172.704(a)(1,2,3 & 5). In addition, Ms. Jones certified her statement regarding the lack of security training by signing the Security Inspection Report (Exhibit 3).

This probable violation was explained to Ms. Jones during the inspection.

**Additional Information Pertaining to the Inspection:**

---

**Exhibit Summary**

Evidence		Obtained From		
No.	Description	Name, Title	Company	City, State
1	Exit Briefing.	Helen Jones, General Manager	St. George Warehouse, Inc.	Addison, IL
2	Shipping papers.	Helen Jones, General Manager	St. George Warehouse, Inc.	Addison, IL
3	Security Inspection Report.	Helen Jones, General Manager	St. George Warehouse, Inc.	Addison, IL
4	Letter of Corrective Action.	Helen Jones, General Manager	St. George Warehouse, Inc.	Addison, IL
5	Certificates of training.	Helen Jones, General Manager	St. George Warehouse, Inc.	Addison, IL



US Department  
of Transportation

Pipeline and Hazardous  
Materials Safety Administration

Office of Hazardous  
Materials Enforcement  
Central Region

2300 E. Devon Ave. Suite 478  
Des Plaines, Illinois 60018  
(847) 294-8580  
(847) 294-8590 - Fax

### EXIT BRIEFING

(This document is not a final report.)

Date: 5-17-05

Report Control #: 05431043

Company Name: ST. GEORGE LUMBERHOUSE, INC.

Address: 775 BELDEN AVE, STE A, ADDISON, IL 60101

#### NAME OF INDIVIDUALS RECEIVING BRIEFING:

Name: HELEN K. JONES

Title: General Manager

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

This has been a compliance inspection conducted in accordance with Title 49 U.S.C. Section 5121(c). This exit briefing addresses only the areas noted, and it is not a finding of general compliance in any other areas covered by the Hazardous Materials Regulations that were subject to the inspection.

During the course of the inspection the following probable violations of 49 CFR and/or quality control items were noted:

#### PROBABLE VIOLATIONS:

Section:

Explanation: 107.601 + 107.608

No Registration

Section:

Explanation: 172.800

No written Security Plan

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 1  
PAGE 1 OF 3

U.S. DOT/PHMSA/OHME/CENTRAL REGION  
REPORT # \_\_\_\_\_  
EXHIBIT # \_\_\_\_\_  
PAGE \_\_\_\_\_ OF \_\_\_\_\_

**PROBABLE VIOLATIONS:**

Section: \_\_\_\_\_

Explanation: \_\_\_\_\_

172.704

NO HAZMAT TRAINING OR TRAINING  
RECORDS - NO SECURITY AWARENESS  
& INDEPTH TRAINING.

Section: \_\_\_\_\_

Explanation: \_\_\_\_\_

Section: \_\_\_\_\_

Explanation: \_\_\_\_\_

Section: \_\_\_\_\_

Explanation: \_\_\_\_\_

Section: \_\_\_\_\_

Explanation: \_\_\_\_\_

**U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 1  
PAGE 2 OF 3**

U.S. DOT/PHMSA/OHME/CENTRAL REGION

REPORT # \_\_\_\_\_

EXHIBIT # \_\_\_\_\_

PAGE \_\_\_\_\_ OF \_\_\_\_\_

Report Control #: \_\_\_\_\_

This document is not a final report. The information gathered at this inspection and any probable violations noted will be reviewed prior to finalizing the report. Probable violation(s) may be removed or others may be added during this review. In addition, quality control items may be revised to become probable violations during this review.

Upon determination that a probable violation exists, the Associate Administrator for Hazardous Materials Safety is authorized to impose certain sanctions, including warning letters, compliance orders, and civil penalties. In addition, court actions, including injunctive or criminal proceedings, may be initiated. Title 49 U.S.C. Sections 5123 and 5124 provide for civil and criminal penalties for violation of the Hazardous Materials Regulations.

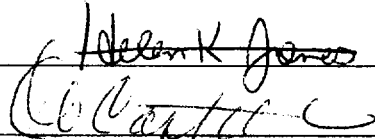
A civil penalty of not more than \$32,500, but not less than \$275, per violation may be imposed through administrative proceedings initiated by the Office of Chief Counsel of the Pipeline and Hazardous Materials Safety Administration. When a criminal violation has been determined by a court, a fine, or imprisonment for not more than 5 years, or both, may be imposed for each violation.

The inspector does not determine which sanction, if any, may be imposed and cannot provide information concerning what proceedings will be initiated or sanctions imposed.

Documentation of corrective action submitted in writing to the inspector within 30 days of the inspection may be considered for mitigation should the sanction imposed result in the issuance of a notice proposing a civil penalty. However, any documented corrective action would not eliminate or preclude the initiation of a civil penalty proceeding, a finding of violation, or assessment of a civil penalty.

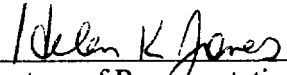
Our objective is to ensure a fair regulatory enforcement environment. If you feel you have been treated unfairly or unprofessionally, you may contact John J. O'Connell, Jr. at 202-366-4700, or e-mail us at [OHME-HQ@dot.gov](mailto:OHME-HQ@dot.gov). You also have a right to contact the Small Business Administration's National Ombudsman at 1-888-REGFAIR or [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman) regarding the fairness of the compliance and enforcement activities by this agency. The Pipeline and Hazardous Material Safety Administration strictly forbids retaliatory acts by its employees. As such, you should feel confident that you will not be penalized for expressing your concerns about compliance and enforcement activities.

I certify that I received the above briefing as it appears on this form. I understand that by signing this form I am in no way expressing agreement with its contents. I am only acknowledging that I have reviewed it and have received a copy.

  
\_\_\_\_\_  
Signature of Inspector(s)

5-18-05

Date

  
\_\_\_\_\_  
Signature of Representative(s)

5-18-05

Date

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 1  
PAGE 3 OF 3

U.S. DOT/PHMSA/OHME/CENTRAL REGION  
REPORT # \_\_\_\_\_  
EXHIBIT # \_\_\_\_\_  
PAGE \_\_\_\_\_ OF \_\_\_\_\_

\*\*\*\*\*  
\* ST. GEORGE WAREHOUSE OF ILL \*  
\* 775 BELDEN AVE. SUITE A \*  
\* ADDISON, IL 60101 \*  
\* Tel (630)543-8900 \*  
\* Fax (630)543-8930 \*  
\*\*\*\*\*

INVOICE / PICK UP RECEIPT

INV # : 19423-1-4  
Cust ID: 320  
Csgne Ref: 3190085

TRUCKER : TOWNE  
PICKUP : 4/05/2005 12:46 pm  
PCS: 4 PACKING: DRUMS  
LOCATION: R1-0  
MARKS: 0409602001 KETJENSEPT  
HBL: 20041944  
WGT: 1234  
CFT: 36.37  
DESC:  
VESSEL : MDL COMMITMENT  
CONTAINER: HDMU2128116  
AVAILABLE: 1/12/2005  
STRIP: 1/13/2005  
LAST FREE DAY: 1/22/2005  
PAY TYPE: CHECK CHECK # : 0 CJ

+ CHARGES +	
DEMURRAGE	0.00
	=====
\$	0.00

\*\*\*\*\* NOTE: PAYMENT DUE UPON RECEIPT \*\*\*\*\*

Truckman Signature: x

*mw TAF* <sup>4</sup> ~~12~~ P 4-5-5 1315



U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 1 OF 19

## Trade Networks

RECEIVED, subject to the classification and tariffs in effect on the date of the issue of this Bill of Lading

SHIPPER

AXCENTIVE BV  
NIJVERHEIDSPLEIN 21 G  
BARNEVELD, FN

REF. NO. P08726

Wood Dale, IL 60191-1056

DATE 03/25/05

REF. NO. 3190085/001

Office: 3901

Dept : 02

UNIFORM STRAIGHT BILL OF LADING

ORIGINAL - NOT NEGOTIABLE

Uniform Domestic Straight Bill of Lading, adopted by Carriers in Official Southern, Western and Kings Classification territories, March 16, 1922, as amended June 15, 1941

IMPORTING CARRIER MOL COMMITMENT	121	FROM PORT ROTTERDAM, NETH.	ARRIVAL 04/07/05	AVAILABLE 04/04/05
B/L - MAWB HDMURTCIO813180	HOUSE BILL	SUB BILL	ENTRY NO 112-9619482-2	
LOCATION OF MERCHANDISE ST. GEORGE WAREHOUSE CHICAGO P:630-543-8900 F:630-543-8930/8980		LOCAL DELIVERY OR TRANSFER BY (DELIVERY ORDER ISSUED TO) TOWNE AIR FREIGHT T:847-427-0830 F:847-427-1275		

LOCAL DELIVERY TO

ROUTE

WISCONSIN PHARMACAL CO  
1 PHARMACAL WAY  
JACKSON WI 530037  
Notify: MARY HEINEN  
Tel: (262)677-4121

08L ✓ PU#19423-1 4DRUMS 0409682001  
PU#19423-2 8DRUMS 0409682002

REF. NO. P08726

12 PACKAGES	KETJENSEPT	3307 -LBS-
***** BREAKDOWN *****		Total Above
BL: HDMURTCIO813180 CONT:HDMUR2128116		PKGS: 12 WGT: 3307
OBL Release		
----- Instructions -----		
SHIPPING MARKS: 4DRMS BATCH 409682001- 8DRMS BATCH 409682002		
P08726/WPC/KETJENSEPT JACKSON S3037		
SCHEDULE TO BE PICKED UP 4-4-05		
HAZARDOUS DESCRIPTION		
CORROSIVE SOLIDS, BASIC, ORGANIC, NOS(SODIUM P-toluensulph-chloramide)CLASS 8, UN 3263, PG III		
24 HOUR EMERGENCY PHONE NUMBER IS 800.424.9300		
* Prepaid by: FEDEX TRADE NETWORKS TRNS&BKRG, 1226 MICHAEL DR STE B WOOD DALE, IL 60191		

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 2 OF 19

Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges	If charges are to be prepaid write or stamp here, "To Be Prepaid"	Received \$ to apply in prepayment of the charges on the property described hereon	Charges advanced \$
PREPAID	Agent or Cashier	Per (The signature here acknowledges only the amount prepaid.)	

If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight." NOTE - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding

FedEx Trade Networks Transport &amp; Brokerage, Inc.

DOROTHY L. DUNCAN

Tel: (630)274-7510

PER:

FOR THE SHIPPER  
Permanent Post Office Address

UNLESS OTHERWISE INDICATED,  
FedEx Trade Networks Transport &  
Brokerage, Inc.'s LIABILITY AS CARRIER  
IS LIMITED TO \$50 PER POUND OR  
\$50.00, WHICHEVER IS GREATER

Per

Agent

17 Nov 04 12:44

P. van Lenthe

+31 4 42 69 40 99

P. 5

## MULTI-MODAL DANGEROUS GOODS FORM

This form is to be completed by the shipper/consignor/sender of the goods. It is to be used for the transport of dangerous goods by air, sea, land or inland waterway. It is to be used for the transport of dangerous goods by air, sea, land or inland waterway. It is to be used for the transport of dangerous goods by air, sea, land or inland waterway.

1 Shipper/Consignor/Sender Damco as agents for Axcentive Bv A. Plesmanweg 161 3088 CC Rotterdam		2 Transport document number	
6 Consignee Fedex Trade networks TRNS 1226 Michael drive, suite B IL 60191 Wooddale USA		3 Page 1 of pages	4 Shipper's reference 20041944
8 This shipment is within the limitations prescribed for (Delete non-applicable) PASSENGER AND CARGO AIRCRAFT CARGO AIRCRAFT ONLY		5 Freight Forwarder's reference	
10 Vessel/voyage no. and date MOL Commitment		7 Carrier (to be completed by the carrier)	
11 Port/place of loading Rotterdam		SHIPPER'S DECLARATION I hereby declare that the contents of this consignment are fully and accurately described below by the proper shipping name, and are classified, packaged, marked and labeled/placarded and are in as respect in proper condition for transport according to the applicable international and national government regulations.	
12 Port/place of discharge New York		9 Additional handling information EM TEL: Akzo Nobel Chemicals Deventer Bv Tel: +31 570679111 Fax: +31 570679601	
13 Destination Wooddale			
14 Shipping marks Number and kind of packages; description of goods Gross mass (kg) Net mass Cube (m³)			
Fedex 20 pallets - 80 drums 11200 10000 USA Corrosive Solid Basic Organic NOS (Sodium P-toluenesulfonchloramide) IMDG CLASS 8 UN No 3263 IMDG PAGE NO 8150-1 PG III MFAG 760 + Sub Section 4.3 EMS NO 8-15			
15 Container identification No./vehicle registration No.	16 Seal number(s)	17 Container/vehicle size & type <input type="checkbox"/> Open <input type="checkbox"/> Closed size	18 Tare mass (kg) 19 Total gross (including tare) (kg)
CONTAINER/VEHICLE PACKING CERTIFICATE I hereby declare that the goods described above have been packed/loaded into the container/vehicle identified above in accordance with the applicable provisions. MUST BE COMPLETED AND SIGNED FOR ALL CONTAINER/VEHICLE LOADS BY PERSON RESPONSIBLE FOR PACKING/LOADING		21 RECEIVING ORGANIZATION RECEIPT Received the above number of packages/containers/vehicles in apparent good order and condition unless stated herein. RECEIVING ORGANIZATION REMARKS	
20 Name of company Damco mar... Bv Rotterdam		Haulier's name	
Name/status of declarant L. Teuling		Vehicle reg no	
Place and date Rotterdam, 01.11.04		Signature and date	
Signature of declarant		DRIVER'S SIGNATURE	
22 Name of company (for shipper preparing this note) Damco, Netherlands Bv		Name/status of declarant L. Teuling	
Place and date Rotterdam, 01.11.04		Signature of declarant	

**DANGEROUS GOODS**  
You must specify, proper shipping name, hazard class, UN No., Packing groups (where assigned), MARINE POLLUTANT and observe the mandatory requirements under the applicable national and international governmental regulations. For the purposes of the IMDG Code see 5.4.1. (The IMDG Code page shall not appear on this form)  
For the purposes of the IMDG Code see 5.4.2

See manual for documentary aspects

Wijn Gevaarverzekering - Rotterdam - Telephone (+31) 010-425 26 13 - Fax (+31) 010-425 26 22 form IMO 2/2001

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 3 OF 19



## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 1  
MSDS NO. 16-041030CHLORAMINE T<sup>+</sup>

## SECTION 1. CHEMICAL PRODUCT AND COMPANY INFORMATION

PRODUCT NAME  
CHLORAMINE TCHEMICAL NAME  
Benzene sulfonamide, N-chloro-4-methyl,  
sodium saltSYNONYM  
Sodium p-toluenesulphonchloramideCHEMICAL FORMULA  
C7 H7 Cl N NaO2 S.3H2OCAS #  
127-65-1CHEMICAL FAMILY  
Sodium saltMANUFACTURERS NAME  
Akzo Nobel Functional Chemicals LLCPRODUCT/TECHNICAL INFORMATION  
1-800-662-8170ADDRESS  
Dreeland Office  
1600 Broadway, #1450  
Denver, CO 80202MEDICAL/HANDLING EMERGENCY  
1-914-693 6946COUNTRY  
U.S.A.TRANSPORTATION EMERGENCY  
CHEMTREC 1-800-424-9300PRODUCT USE  
Disinfectant outside U.S., No claims in U.S.REVISION DATE  
10/16/2001ISSUE DATE  
8/29/1994REVISION NO.  
007

## SECTION 2. COMPOSITION/INFORMATION ON INGREDIENTS

SUBSTANCE DESCRIPTION	PERCENT	CAS#
Benzenesulfonamide, N-chloro-4-methyl-, sodium salt	99.00-100.000	127-65-1

## SECTION 3. HAZARDS IDENTIFICATION

## Appearance &amp; Odor

White crystalline powder with a weak chlorine odor

## STATEMENT OF HAZARDS

DANGER!

CAUSES SKIN BURNS

MAY CAUSE EYE AND RESPIRATORY TRACT IRRITATION

## Fire &amp; Explosion Hazards

Potential for dust explosion may exist. This product is not defined as flammable or combustible. May decompose violently if heated above 266 F (130 C).

This product will begin to loose water of crystallization at 122 F (60 C).

Depending upon conditions, dusts may be sensitive to static discharge. Avoid possibility of dry powder with friction causing static electricity in presence of flammables. (See NFPA-77, Chapt.6)

## Primary Route of Exposure

Skin contact and inhalation are the primary routes of exposure to this product.

## Inhalation Acute Exposure

Inhalation of dust is irritating to mucous membranes and may cause asthmatic symptoms.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 4 OF 19

## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 2  
MSDS NO. 16-041030

CHLORAMINE T

SECTION 3. HAZARDS IDENTIFICATION  
(CONTINUED)

## Skin Contact - ACUTE

Considered corrosive to the skin.

Skin contact may cause allergic reaction in sensitive individuals.

## Eye contact - ACUTE

Eye contact may cause moderate to severe irritation and conjunctivitis.

## Ingestion - ACUTE

Irritation to the mouth, throat, esophagus and stomach may be caused by ingestion of this material.

Ingestion is likely to result in nausea and/or vomiting.

## CARCINOGENICITY

IARC	....NO	OSHA	....NO
NTP	....NO	ACGIH	....NO

## SECTION 4. FIRST AID MEASURES

## Inhalation First Aid

Remove victim to fresh air. If respiratory irritation occurs or if breathing is difficult, get medical attention. If breathing has stopped, give artificial respiration. Maintain airway and administer oxygen if available. Get medical attention immediately.

## Skin Contact - First Aid

Immediately remove contaminated clothing and shoes. Wash skin with soap and plenty of water for at least 15 minutes. Do not attempt to neutralize with chemical agents. Get medical attention. Wash contaminated clothing before reuse. Thoroughly clean or destroy contaminated shoes.

## Eye Contact - First Aid

Flush eyes with large quantities of running water for a minimum of 15 minutes. If the victim is wearing contact lenses, remove them. Hold the eyelids apart during the flushing to ensure rinsing of the entire surface of the eye and lids with water. DO NOT let victim rub eye(s). Do not attempt to neutralize with chemical agents. Oils or ointments should not be used at this time. Get medical attention if eye irritation occurs.

## Ingestion - First Aid

Immediately give several glasses of water. DO NOT induce vomiting. If vomiting occurs keep head below hips to reduce risk of aspiration. Give fluids again. Activated charcoal may be administered (not during vomiting, if any) preferably by a physician. Never give anything by mouth to a person who is unconscious or convulsing.

If victim is unconscious, monitor pulse, breathing and airway. If breathing stops, begin artificial respiration immediately. If the heart has stopped, give cardiopulmonary resuscitation (CPR). Get medical attention immediately.

## Medical conditions aggravated

Persons with pre-existing skin and/or respiratory disease may be at increased risk if exposed to this material.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 5 OF 19

## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 3  
MSDS NO. 16-041030

CHLORAMINE T

SECTION 4. FIRST AID MEASURES  
(CONTINUED)

## Note to Physician

To prepare activated charcoal slurry, suspend 50 g activated charcoal in 400 ml water in a plastic bottle and shake well. Administer 5 ml/kg or 350 ml for an average adult.

Attending physician should treat exposed patients symptomatically.

It has been suggested that this product can react with some amino acids in the gastrointestinal tract to form cyanogen compounds. Exposure to this product may result in cyanide poisoning. If cyanide poisoning is suspected, amyl nitrate, sodium nitrate and sodium thiosulfate may be used for treatment, along with oxygen.

## SECTION 5. FIRE FIGHTING MEASURES

FLASH POINT  
377.60 F 192.00 CFLASH METHOD  
Pensky-Mortens Closed CupAUTO IGNITION TEMPERATURE  
N/D F N/D CUPPER EXPLOSION LIMIT  
N/DLOWER EXPLOSION LIMIT  
N/D

## Extinguishing Media

Use water fog or spray, dry chemical, foam or carbon dioxide extinguishing agents.

## Fire Fighting Procedures

As in any fire, prevent human exposure to fire, smoke, fumes or products of combustion. Evacuate non-essential personnel from the fire area. Firefighters should wear full-face, self-contained breathing apparatus and impervious protective clothing. If not leaking, keep fire exposed containers cool with a water spray to prevent rupture due to excessive heat.

## Fire &amp; Explosion Hazards

Potential for dust explosion may exist. This product is not defined as flammable or combustible. May decompose violently if heated above 266 F (130 C).

This product will begin to lose water of crystallization at 122 F (60 C).

Depending upon conditions, dusts may be sensitive to static discharge. Avoid possibility of dry powder with friction causing static electricity in presence of flammables. (See NFPA-77, Chapt.6)

## Other Fire &amp; Explosion Hazards

This product has been reported as being explosive after azeotropic distillation of the total water content.

## Hazardous Products/Combustion

Oxides of sulfur and nitrogen, hydrogen chloride and chlorine may be produced by the decomposition of this product.

NFPA HEALTH RATING  
3NFPA FLAMMABILITY RATING  
1NFPA REACTIVITY RATING  
1

NFPA OTHER

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 6 OF 19

## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 4  
MSDS NO. 16-041030

CHLORAMINE T

## SECTION 6. ACCIDENTAL RELEASE MEASURES

## Cleanup

Stop source of spill. Sweep up spilled solid material, being careful not to create dust. Return sweepings to stock or, if contaminated, place into a chemical waste container for disposal.

## SECTION 7. HANDLING AND STORAGE

## Handling

Avoid prolonged and/or repeated skin contact and eye contact when handling this product.

## Storage

Store away from foodstuffs or animal feed. Containers should be kept tightly capped and stored in a cool, dry, well ventilated area away from flammable or oxidizing materials and sources of heat or flame. Exercise due caution to prevent damage to or leakage from the container.

## MAXIMUM STORAGE TEMPERATURE

140.00 F 60.00 C

looses crystalline structure

## General Comments

The generation of dust should be avoided when handling this product.

## SECTION 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

## Respiratory protection

If handling operations lead to dusting, wear a NIOSH-approved half-mask, acid gas, air purifying respirator with dust, mist and fume filters.

When using respirator cartridges or canisters, they must be changed frequently (following each use or at the end of the workshift) to assure breakthrough exposure does not occur.

## Skin Protection

Skin contact with this product should be prevented through the use of suitable protective clothing, gloves, and footwear selected with regard for use condition exposure potential.

## Eye Protection

Dust-tight goggles are recommended when handling this product.

## Ventilation protection

Prevent the circulation or accumulation of dust in the air with sufficient ventilation.

## Other Protection

Safety showers, with quick opening valves which stay open, and eye wash fountains, or other means of washing the eyes with a gentle flow of cool to tepid tap water, should be readily available in all areas where this material is handled or stored. Water should be supplied through insulated and heat-traced lines to prevent freeze-ups in cold weather. Long sleeved clothing may be used to minimize skin contact.

## APPLICABLE EXPOSURE LIMITS

In addition to any exposure limits displayed below, exposures to this product should be controlled below limits established for "Particulates Not Otherwise Classified (PNOC):"

10 mg/m<sup>3</sup> - ACGIH15 mg/m<sup>3</sup> (total dust); 5 mg/m<sup>3</sup> (respirable fraction) - OSHA

U.S. DOT/PHMSA/OHME/CE

REPORT NUMBER: 05431043

EXHIBIT NUMBER: 2

PAGE 7 OF 19

## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 5  
MSDS NO. 16-041030

CHLORAMINE T

## SECTION 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

EXPOSURE LIMITS/REGULATORY INFORMATION  
(IN MG/M3)

SUBSTANCE DESCRIPTION	REG. AGCY	PEL	TLV	TWA	STEL	CEIL
Benzenesulfonamide, N-chloro-4-methyl-, sodium salt	OSHA	N/D	N/D	N/D	N/D	N/D
	ACGIH	N/D	N/D	N/D	N/D	N/D
	NIOSH	N/D	N/D	N/D	N/D	N/D
	SUPPLIER	N/D	N/D	N/D	N/D	N/D

## LEGEND:

EXPOSURE LIMIT DESCRIPTIONS  
 CEIL Ceiling Exposure Limit  
 PEL Permissible Exposure Limit  
 STEL Short Term Exposure Limit  
 TLV Threshold Limit Value  
 TWA Time Weighted Average  
 N/D = Not Determined

## SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

VAPOR PRESSURE (mm Hg) N/D	VAPOR DENSITY (Air = 1.0) N/D
EVAPORATION RATE N/D	VOLATILE N/D
BOILING POINT N/D F N/D C	ODOR THRESHOLD (ppm) N/D
SPECIFIC GRAVITY N/D	BULK DENSITY AP 590 kg/m3
SOLUBILITY IN WATER 150 g/l at 25 C.	SOLUBILITY IN OTHER SOLVENTS 75 g/l at 25 C in 95% ethanol
COEFFICIENT OF OIL/WATER N/D	POUR POINT N/D F N/D C
MELTING POINT N/D F N/D C (Decomposes before melting)	pH FACTOR AP 9 (5% solution)
CLOUD POINT N/D F N/D C	FLASH POINT 377.60 F 192.00 C
FLASH METHOD Pensky-Martens Cased Cup	UPPER EXPLOSION LIMIT N/D
LOWER EXPLOSION LIMIT N/D	AUTO IGNITION TEMPERATURE N/D F N/D C

U.S. DOT/PHMSA/OHME/CE  
 REPORT NUMBER: 05431043  
 EXHIBIT NUMBER: 2  
 PAGE 8 OF 19

## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 6  
MSDS NO. 16-041030

CHLORAMINE T

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES  
(CONTINUED)Other  
Density - 1430 kg/m<sup>3</sup>.

## SECTION 10. STABILITY AND REACTIVITY

## Stability

This product may decompose if exposed to elevated temperatures.  
It will become unstable in humid conditions.

## Incompatibilities

This product is incompatible with acids and strong oxidizers.

## Polymerization

Hazardous polymerization is not expected to occur under normal temperatures and pressures.

## Decomposition

Decomposes at temperatures above 266 degrees F (130 degrees C) to release toxic hydrogen chloride, chlorine and sulfur and nitrogen oxides.

## Conditions to Avoid

Contact with acids and strong oxidizers and prolonged storage at elevated temperatures should be avoided.

## SECTION 11. TOXICOLOGICAL INFORMATION

## Toxicological - Inhalation

Inhalation toxicity data are not available for this product.

## Inhalation Chronic Exposure

Prolonged and/or repeated inhalation may cause respiratory irritation, cough, and chest discomfort.

## Toxicological - Dermal

The acute dermal LD50 is greater than 2000mg/kg in rabbits (8% solution).

This product was corrosive to rabbit skin.

## Skin Contact - CHRONIC

Prolonged or repeated skin contact may cause dermatitis and irritation. Sensitive individuals may have allergic reactions.

## Toxicological - Eye

This product is a moderate irritant to rabbit eyes.

## Toxicological - Ingestion

The oral LD50 for this material is approximately 5000 mg/kg in rats and mice.

In a 90 day feeding study, the NOEL (No Observed Effect Level) in Albino rats was 15 mg/kg.

## Ingestion - CHRONIC

Chronic ingestion effects of this product are not known.

## CARCINOGENICITY/MUTAGENICITY

This product gave negative results in the Ames, DNA repair and microsomal degranulation assays.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 9 OF 19

## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 7  
MSDS NO. 16-041030

CHLORAMINE T

SECTION 11. TOXICOLOGICAL INFORMATION  
(CONTINUED)

## REPRODUCTIVE EFFECTS

The reproductive toxicity of this product is not known.

## NEUROTOXICITY

The neurotoxic effects of this product are not known.

## Other Toxicological Effects

No other toxic effects for this product are known.

## Target Organs

Overexposure to this product may affect the skin, eyes and respiratory system. Dermal sensitization may occur.

## SECTION 12. ECOLOGICAL INFORMATION

## ECOTOXICOLOGICAL INFORMATION

This product is readily biodegradable if it is in sufficiently low concentrations in water. The hydrolysis product is also readily biodegradable.

Experiments on this product yielded the following environmental data;

The 96 hr LC50 is 31 mg/L for Guppy.

The 48 hr EC50 is 4.5 mg/L for Daphnia magna.

The 72 hr EC50 is 80 mg/L for algae.

The 21 day No Effect Level (NOEL), is 1.1 mg/L for Daphnia magna.

## DISTRIBUTION

Other ecological information on this product is not known.

## CHEMICAL FATE

This product hydrolyzes to p-toluene sulphonamide

## SECTION 13. DISPOSAL CONSIDERATIONS

## Waste Disposal

In its unused condition, this product is not considered to be a RCRA defined hazardous waste by characteristics or listings. It is the responsibility of the waste generator to evaluate whether his wastes are hazardous by characteristic or listing. Dispose in accordance with all local, state and federal regulations.

## CONTAINER DISPOSAL

Containers should be cleaned of residual product before disposal or return. Empty containers should be disposed of or shipped in accordance with all applicable laws and regulations.

## SECTION 14. TRANSPORT INFORMATION

## SHIPPING DESCRIPTION

Corrosive solids, basic, organic, n.o.s.

(Sodium P-toluenesulphonchloramide)

8, UN3263, III

DOT EMERGENCY GUIDE NO.60

TDG EMERGENCY GUIDE NO.39

## REQUIRED LABELS

Corrosive

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 10 OF 19

## Akzo Nobel Functional Chemicals LLC

## MATERIAL SAFETY DATA SHEET

DATE PRINTED: 10/18/2001

PAGE 8  
MSDS NO. 16-041030

CHLORAMINE T

SECTION 14. TRANSPORT INFORMATION  
(CONTINUED)

## ENVIRON. HAZARDOUS SUBSTANCE

This product does not contain an environmentally hazardous substance per 49 CFR 172.101, Appendix A.

## SECTION 15. REGULATORY INFORMATION

Component Benzenesulfonamide, N-chloro-4-methyl-, sodium salt is subject to th

## Environmental List

DSL Domestic Substance List-Canada  
TSCA Toxic Subst. Cont. Act -listed

## OTHER REGULATORY INFORMATION

No other regulatory information is available on this product.

WHMIS HAZARD CLASS  
D-2B,E

HAZARD RATING SOURCE  
HMIS

HEALTH  
3

REACTIVITY  
1

FLAMMABILITY  
1

OTHER

## SECTION 16. OTHER INFORMATION

## OTHER INFORMATION

No other information is available.

Revisions made in Section(s) 1

CREATED BY  
Product Safety 914-674-5000

## KEY TO ABBREVIATIONS:

EQ=Equal  
AP=Approximately

LT=Less Than  
TR=Trace

GT=Greater Than  
ND=No Data available

The information in this material safety data sheet should be provided to all who sell, use, handle, store, transport or otherwise be exposed to this product. All information concerning this product and/or suggestions for handling and use contained herein are offered in good faith and are believed to be reliable as of the date of publication. However, no warranty is given as to the accuracy or completeness of such information and/or suggestions as to the acceptability or fitness of the product for any particular purpose, or that use suggested will not increase the hazard. Nothing in this sheet is intended as a substitute for consulting the label on the product. Buyer must determine for himself or herself the suitability of this product for his purpose, including mixing with other products. The information contained herein supersedes all previously issued bulletins on the subject matter covered. If the date of this document is not the same as the date of the label, the label is the correct one.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 11 OF 19



Sue 63

STRAIGHT BILL OF LADING  
ORIGINAL - NOT NEGOTIABLE

CARRIER : SPIRIT		Shipping Date: 3/03/05	
TO: Consignee: CAST LINE SHED 59		FROM: Shipper: FED EX TRADE NETWORKS	
Street RACINE TERMINAL DEST: MONTREAL QUEBEC BKG# CCA8927		Street 1226 MICHAEL DRIVE WOODDALE IL 60126 SUE 630-274-7503	
Route:		Vehicle Number: TGHU821050-4	

Number of Shipping Units	Kind of Packing, Description of Articles, Special Marks and Exceptions	Weight
--------------------------------	---	--------

1128 pos

VSL: CANMAR PRIDE A5620 SLG MONTREAL 3/11  
ETA ANTWERP 3/18 ETA DOREDECHT NL, 3/22  
\*AES MANIFEST, HAZ DECS & MSDS ATTACHED\*

44,453 #

1641' cube

Seal # 219154

20164 Kilo

44,468  
c.m.

\* HAZ DEC'S and M.S.D.S. attached for rail  
for Class 3 and Class 8 \*

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 12 OF 19

\* 4 Flexible and Corrosive placards to be put on driver at time of pickup \*

Note - Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ Per	*****
	* Freight Charges *
	* ** Prepaid ** *
	*****
	*****

This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. Per	
SHIPPER: St. George Whse 34-05	CARRIER: SPIRIT
PER: [Signature] DATE:	PER: [Signature] DATE: 2405

# IMO DANGEROUS GOODS DECLARATION

106999

1 Shipper/Consignor/Sender INEOS Silicas 111 Ingalls Avenue Joliet, IL 60435		2 Transport Document Number 140642	
		3 Page of pages 1 of 1	4 Shipper's Reference 140642
6 Consignee Brauns-Heitmann GmbH & Co. KG Industriegebiet Lutkefeld 4A, Werk 1 34414 Warburg, Germany F.A.O. Mr. H. Prellwitz		5 Freight Forwarder's Reference Booking Number: CCA 8927	
		7 Carrier (to be declared by the Carrier)	

## SHIPPER'S DECLARATION

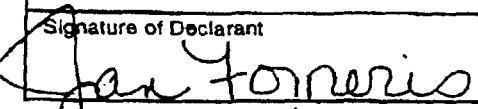
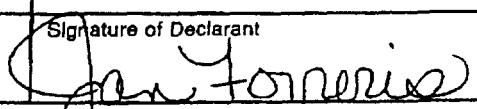
I hereby declare that the contents of this consignment are fully and accurately described below by the Proper Shipping Name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and national governmental regulations.

10 Vessel/Flight & Date  CANMAR PRIDE V. A5620	9 Additional Handling Information  Port of Discharge: ANTWERP, BELGIUM Destination: WARBURG, GERMANY
11 Port/Place Handling  MONTREAL	

14 Shipping Marks	*Number & Kind of Packages, Description of Goods	GW (kg)	CUBE (m³)
1 pallet/ 1 - 2000 LB./ 907 KG Super Sack	UN3262, Corrosive Solid, Basic, Inorganic, N.O.S. (Disodium Trioxosilicate, Anhydrous), 8, PGII Trade Name: Drumet 59 U.S. DOT/PHMSA/OHME/CE REPORT NUMBER: 05431043 EXHIBIT NUMBER: PAGE 13 OF 19 CHEMTREC 24 HOUR EMERGENCY RESPONSE PHONE NUMBER: DOMESTIC - 800/424-9300, INTERNATIONAL - 703/527-3887	934 KG Net Weight: 907 KG	

15 CTU ID No.	16 Seal No.	17 CTU Size & Type LCL Shipment	18 Tare Mass (kg) 27 KG	19 Total Gross Mass (kg) 934 KG
---------------	-------------	------------------------------------	----------------------------	------------------------------------

<b>CONTAINER/VEHICLE PACKING CERTIFICATE</b> I hereby declare that the goods described above have been packed/loaded into the container/vehicle identified above in accordance with IMDG code 5.4.2	21 Receiving Organization Receipt Received the above number of packages/containers/trailers in apparent good order and condition, unless stated hereon: RECEIVING ORGANIZATION REMARKS:
--	---

20 Name of Company INEOS Silicas	Hauler's Name	22 Name of Company Preparing Note INEOS Silicas
Name/status of Declarant Jan Forneris Supply Coordinator	Vehicle Registration No.	Name/Status of Declarant Jan Forneris Supply Coordinator
Place and Date Joliet, IL February 28, 2005	Driver Name and Date	Place and Date Joliet, IL February 28, 2005
Signature of Declarant 	Driver's Signature	Signature of Declarant 

# INEOS Silicas

REF: #DRYMET® 59

## MATERIAL SAFETY DATA SHEET

Date of Issue: March 2004, Rev. No:11

Emergency Phone: (815) 727-3651

### 1. Product & Company Identification

**Chemical Name:** Sodium Metasilicate Anhydrous  
**Chemical Formula:**  $\text{Na}_2\text{SiO}_3$   
**Synonyms:** Silicic Acid  
 Disodium Salt  
 Disodium Trioxosilicate,  
 Anhydrous  
**Trade Names:** DRYMET® 59, DRYMET® Fines  
**CAS Number:** 6834-92-0  
**Co. Identification:** INEOS Silicas Americas  
 111 Ingalls Avenue  
 Joliet, IL 60435  
**Emergency Number:** INEOS - (815) 727-3651  
 (24 hours) ChemTrec (800) 424-9300

### 2. Composition & Information on Ingredients

Ingredients	Case Number
Silicic Acid, Disodium Salt	6834-92-0
Water	7732-18-5

### 3. Hazardous Identification

**Warning:**

Causes severe burns to skin, eyes, respiratory and digestive tract. May cause permanent eye damage. DO NOT get in eyes, on skin, or on clothing. DO NOT take internally. Avoid breathing dust. Use with adequate ventilation and employ respiratory protection when exposure to dust is possible. When handling, wear goggles, face shield, and appropriate protective clothing. Wash thoroughly after handling or contact as exposure can cause burns that are not immediately painful or visible. Keep container closed.

**Emergency Procedure:**

If a known exposure occurs or if poisoning is suspected, do not wait for symptoms to develop. Immediately initiate the recommended first aid procedures. Contact a physician or the nearest hospital. Inform the person contacted of the type and extent of exposure, describe the victim's symptoms, and follow the advice given. For additional information call the emergency numbers listed above.

### 4. Stability & Reactivity

**Stability:**

This material is stable at ambient temperature and atmosphere pressure.

**Hazardous Decomposition Products:**

None

**Hazardous Polymerization:**

None

**Materials and Conditions to Avoid:**

This material, upon contact with certain products or their residues which contain reducing sugars may react to form deadly CARBON MONOXIDE.

Proper tank entry and occupancy procedures should be observed. Monitor tank atmosphere for the presence of carbon monoxide. In aqueous solutions this material may react with aluminum, galvanized iron and zinc, and may generate flammable hydrogen gas as a result of this action.

### 5. Fire & Explosion Information

**Fire:**

This material is not considered flammable nor will it support combustion. In aqueous solutions it may react with certain metals to form flammable hydrogen gas.

**Explosion:**

Not considered to be an explosion hazard.

**Flashpoint:**

Not Applicable

**Flammable Limits in Air:**

Not Applicable

**Fire Fighting Medium:**

Water Foam Dry Powder  $\text{CO}_2$  etc.

**Special Fire Fighting Procedures:**

In the event of fire, fire fighters should wear full face, self-contained breathing apparatus and impervious clothing, such as gloves, hoods, suits and rubber boots.

### 6. First Aid Procedure

**Ingestion:**

Do not induce vomiting. Immediately give large quantities of water. If vomiting does occur, give fluids again. Never give anything by mouth to an unconscious person. Call a physician or the nearest Poison Control Center immediately.

**Inhalation:**

If symptoms are present, get a person out of the area to fresh air. Seek medical attention.

**Skin Contact:**

Immediately wash with plenty of water for at least 15 minutes. Wash clothing before reuse and discard footwear which cannot be cleaned. Obtain medical attention immediately.

**Eye Contact:**

Immediately flush eyes with plenty of water for at least 15 minutes holding eyelids apart to ensure flushing of the entire surface of the eye. Washing eyes within 1 minute is essential to achieve maximum effectiveness. Seek medical attention immediately.

### 7. Accidental Release Measures

**Leaks and Spillages:**

Make sure all personnel involved in the spill cleanup follow good industrial hygiene practices. Spills can be handled routinely. Use adequate ventilation and wear a dust mask to prevent inhalation. Wear suitable protective clothing and eye protection to prevent skin and eye contact.

U.S. DOT/PHMSA/OHME/CE  
 REPORT NUMBER: 05431043  
 EXHIBIT NUMBER: 2  
 PAGE 14 OF 19

REF: #DRYMET® 59

## MATERIAL SAFETY DATA SHEET

**8. Physical & Chemical Properties**

**Appearance:** white granular or powdered solid  
**Odor:** odorless  
**Solubility:** 27g/100g of water @30°C/85°F  
**pH:** 12.6 (1% Aqueous Solution)  
**Boiling Point:** N/A  
**Melting Point:** 1088°C/1990°F  
**Specific Gravity:** 2.4 (Water = 1.0)  
**Vapor Density:** N/A (Water = 1.)  
**Vapor Pressure:** mmHg Negligible

**9. Ecological Information**

The moderate to strong alkalinity of this product is its sole recognizable adverse effect. Upon neutralization reverts to sodium carbonate and silica.

**10. Exposure Controls & Personal Protection****OCCUPATIONAL EXPOSURE LIMITS**

OSHA PEL: Not Established

ACGIH TLV: Not Established 1993-94

Exposure may be evaluated as:

PEL = 2 mg/m<sup>3</sup> as NaOH

TLV = 2 mg/m<sup>3</sup> as NaOH

Not listed as a carcinogen: IARC, NTP, OSHA

**ROUTES OF EXPOSURE****Ingestion:**

All food should be kept in a separate area, away from the working location. Eating, drinking, and smoking should be prohibited in areas where there is potential for significant exposure to this material. Before eating, hands should be washed.

**Inhalation:**

This material should be handled in well-ventilated areas. In areas where adequate ventilation is not possible and there is a possibility of dust generation, control of exposure can be achieved through the use of a NIOSH approved particulate respirator.

**Skin Contact:**

Skin contact should be prevented through the use of suitable protective clothing, gloves or barrier creams.

**Eye Contact:**

Eye contact should be prevented through the use of chemical safety glasses, goggles, or a facemask.

**11. Toxicological Information****Ingestion:**

The acute oral LD50 is 2740 mg/kg in male rats. Ingestion will cause irritation of the gastrointestinal tract. Nausea, vomiting, cramps and diarrhea may occur.

**Inhalation:**

Irritant to the respiratory tract.

**Skin Contact:**

Corrosive to rabbit skin following a 4 hour exposure.

**Eye Contact:**

Corrosive to the eye.

**12. Disposal Considerations****Waste Disposal Method:**

By landfill at approved site, if State/local laws permit.

**13. Transport Information**

**Proper Shipping Name:** Corrosive Solid, Basic, Inorganic, N.O.S. (Disodium Tetroxosilicate, Anhydrous)  
**Hazard Class:** 8 - Corrosive  
**UN I.D. Number:** 3262  
**Packing Group:** II  
**ADR Classification:** C6

**14. Regulatory Information**

Information required by Federal, State or Local Regulation.

SARA/Title III Hazard Categories: HMIS Hazard Rating

Immediate (acute) Health:	Yes
Reactive Hazard:	No
Delayed (chronic) Health:	No
Sudden Release of Pressure:	No
Fire Hazard:	No
Health Hazard:	3
Fire Hazard:	0
Reactivity:	1

This material is listed on TSCA Inventory, Canadian DSL, Australian AIC, and EINECS (ESC) inventory.

**15. Storage Information**

Containers should be stored in a cool, dry, well ventilated area. The material is hygroscopic and therefore containers should be kept closed when not in use. Sodium Metasilicate can be safely stored in bulk. For information concerning bulk storage contact INEOS Silicas Technical Service Department.

**16. Additional Information****OSHA Standard 29 CFR 1910.1200**

Requires that information be provided by employees regarding the hazards of chemicals by means of a Hazard Communication Program, including labeling, Material Safety Data Sheets, training, and access to written records. We request that you, and it is your legal duty, make all information in this Material Safety Data Sheet available to your employees.

**17. Further Information**

**Manufacturer**  
INEOS Silicas Americas  
111 Ingalls Avenue  
Joliet, IL 60435

**MSDS Preparation**  
SHE Manager  
PH: 815-727-3651  
FX: 815-774-2604

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 15 OF 19

DR 107015

U-2301

MATERIAL SAFETY DATA SHEET

PAGE 3 OF 3

SECTION VII - PRECAUTIONS FOR SAFE HANDLING AND USE

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED  
NEAR OPERATOR, PROTECT WITH VENTILATION OF OTHER PERSONS AS NECESSARY. ELIMINATE ALL IGNITION SOURCES. CONTAIN SPILL WITH  
CLOTHS AND PREVENT SPREADING.

WASTE DISPOSAL METHOD

DESTROY BY LIQUID INCINERATION. CONTAMINATED EQUIPMENT MAY BE DISPOSED IN A LANDFILL IN ACCORDANCE WITH LOCAL, STATE  
AND FEDERAL REGULATIONS.

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORING

STORE IN DRY AREA. KEEP CONTAINERS TIGHTLY CLOSED. PROTECT FROM PHYSICAL DAMAGE. SPECIAL PRECAUTIONS MUST BE TAKEN TO PREVENT  
RESPIRATORY IRRITATION, LIGHT, AND / OR FLAME. ALL PRECAUTIONS GIVEN IN THE DATA SHEET MUST BE OBSERVED. ABOVE 20°C,  
168 MM. Hg.

OTHER PRECAUTIONS

STORE LARGE QUANTITIES IN BUILDINGS DESIGNED TO COMPLY WITH OSHA 1910.106. KEEP OUT OF REACH OF CHILDREN. PREVENT LEAKAGE. DO NOT STORE NEAR HEAT, SPARKS OR FLAME. DO NOT SET ON FIRE. KEEP AWAY FROM FLOWERS. AVOID SKIN  
CONTACT. DO NOT TAKE INTERNALLY. FOR EMERGENCY USE.

SECTION VIII - CONTROL MEASURES

RESPIRATORY PROTECTION

IF USING THE PRODUCT OR ANY COMPONENT IS NECESSARY, AN OVERSIGHT JOINTLY APPROVED AND DULAC. IF PROTECTION IS REQUIRED, AS  
ABSENCE OF PROPER ENVIRONMENTAL CONTROL. OSHA REGULATIONS ALSO PERMIT OTHER NON-OSHA APPROVED EQUIPMENT UNDER SPECIFIC  
CIRCUMSTANCES. THIS HOLD SAFETY EQUIPMENT SUPPLIER. ENGINEERING OR ANY INDUSTRIAL LABOR. SHOULD BE CONSULTED.

VENTILATION

PROVIDE SUFFICIENT VENTILATION (GENERAL AND / OR LOCAL EXHAUST) VENTILATION TO PREVENT EXPOSURE TO HAZARDOUS LEVELS.

PROTECTIVE GLOVES

WEAR GLOVES WHEN HANDLING. USE HAND SAFETY EQUIPMENT SUCH AS OR SAFETY EQUIPMENT.

EYE PROTECTION

WEAR EYE PROTECTION SUCH AS GOGGLES, OR SAFETY GLASSES WHEN HANDLING.

OTHER PROTECTIVE CLOTHING OR EQUIPMENT

TO PREVENT RESPIRATORY OR PROLONGED EXPOSURE TO HAZARDOUS LEVELS, WEAR PROTECTIVE CLOTHING AND EQUIPMENT.

WORK/HYGIENIC PRACTICES

WASH WITH SOAP AND WATER AFTER USE, BEFORE EATING OR DRINKING.

SECTION IX - DISCLAIMER

DISCLAIMER

THIS INFORMATION IS FURNISHED WITHOUT WARRANTY, EXPRESSED OR IMPLIED, REGARDING THE ACCURACY OF THE DATA OF THE  
MANUFACTURER. THE DATA OF THIS SHEET RELATES ONLY TO THE SPECIFIC MATERIAL DESCRIBED HEREIN. FEDEX, INC. AND  
FEDERAL EXPRESS COMPANY ASSUMES NO LEGAL RESPONSIBILITY FOR THE OR RELIANCE ON THIS DATA.

RECEIVED TIME MAR 9 11:00PM

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 16 OF 19

DR. 107015

U-2201

MATERIAL SAFETY DATA SHEET

PAGE 2 OF 3

SECTION V - REACTIVITY DATA

STABILITY: STABLE  
CONDITIONS TO AVOID  
AVOID EXCESSIVE HEAT.

INCOMPATIBILITY (MATERIALS TO AVOID)  
WITH STRONG OXIDIZING AGENTS.

HAZARDOUS DECOMPOSITION OR BYPRODUCTS  
BURNING CAN PRODUCE CYANIDE FUMES. IF SPARK RELEASED.

HAZARDOUS POLYMERIZATION: WILL NOT OCCUR

SECTION VI - HEALTH HAZARD DATA

INHALATION HEALTH RISKS AND SYMPTOMS OF EXPOSURE  
IRRITATION TO THE RESPIRATORY TRACT (NOSE, THROAT, LUNGS) AND / OR PNEUMONIA.

SKIN AND EYE CONTACT HEALTH RISKS AND SYMPTOMS OF EXPOSURE  
IRRITATION. MAY IRRITATE EYE TISSUE IF NOT PROPERLY REMOVED.

SKIN ABSORPTION HEALTH RISKS AND SYMPTOMS OF EXPOSURE  
SLIGHT IRRITATION DUE TO SOLVENTS.

INGESTION HEALTH RISKS AND SYMPTOMS OF EXPOSURE  
MODERATELY TOXIC. MAY CAUSE Nausea, VOMITING, AND DIARRHEA. DO NOT TAKE INTERNALLY. AVOID EATING.

HEALTH HAZARDS (ACUTE AND CHRONIC)

CARCINOGENICITY: NOT KNOWN. IARC MONOGRAPH: NOT LISTED. REGULATED? YES

MEDICAL CONDITIONS GENERALLY AGGRAVATED BY EXPOSURE.  
RESPIRATORY PROBLEMS CAN BE INCREASED BY INHALATION OF VAPORS.

EMERGENCY AND FIRST AID PROCEDURES

EYES - FLUSH WITH WATER FOR 15 MINUTES. GET IMMEDIATE MEDICAL ATTENTION.  
SKIN - REMOVE CONTAMINATED CLOTHING. WASH AFFECTED AREA WITH SOAP AND WATER.  
INHALATION - MOVE TO FRESH AIR. OBTAIN MEDICAL ATTENTION IF NEEDED.  
INGESTION - DO NOT INDUCE VOMITING. GET IMMEDIATE MEDICAL ATTENTION.  
FOR INDUSTRIAL USE - KEEP AWAY FROM CHILDREN.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 17 OF 19

RECEIVED FIVE MAR. 2. 1:26PM

DR 107015

HAZARDOUS MATERIAL SAFETY DATA SHEET

PRODUCT NAME: SNOX 100  
PRODUCT CODE: 0-000

HAZARD CODES: H P R P  
1 2 3 4

SECTION I - MANUFACTURER IDENTIFICATION

MANUFACTURER'S NAME: STEEL INDUSTRIES INC.  
ADDRESS: 1500 BROADWAY AVE., ST. LOUIS, MO 63103  
EMERGENCY PHONE: 800-444-0148 INFORMATION PHONE: 314-771-1000  
DATE REVISED: 11-11-84 NAME OF PREPARER: J. L. MITCHELL

SECTION II - HAZARDOUS INGREDIENTS/HAZARD INFORMATION

HAZARDOUS COMPONENTS	CAS NUMBER	OCCUPATIONAL EXPOSURE LIMIT		VAPOR PRESSURE		
		CGH PEL	ACGIH TLV	mm Hg	°C	°F
METHYL ETHYL KETONE	78-66-3	200 PPM	300 PPM	85.0	72.5	182
ETHYL ACETATE 99% GRADE	141-77-3		400 PPM	26.0	61.0	144
TITANIUM DIOXIDE	1310-37-7	5 MG/MS	10 MG/MS		N/A	
WAXES	1320-32-7	100 PPM	100 PPM	5.0	45	113
SOLVENT MIXTURE (METHYLENE, HEAVY POLYMER)	8741-50-7		300 PPM	2.0	37	99
PROPYLENE GLYCOL MONOMETHYL ETHER ACETATE	102-65-6	NOT ESTAB.	NOT ESTAB.	2.0	37	99

\* Includes toxic chemicals subject to the reporting requirements of section 112 of Title 40 and of 40 CFR 373.11 Toxic Substances Control Act (TSCA). The component chemicals in this product are listed on the TSCA Inventory.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 18 OF 19

SECTION III - PHYSICAL/CHEMICAL CHARACTERISTICS

BOILING RANGE: 167°F (70°C)  
VAPOR DENSITY: HEAVIER THAN AIR  
COATING V.O.C.: 4.12 LBS/L (1.49 G/L)  
MATERIAL V.O.C.: 4.12 LBS/L (1.49 G/L)  
SOLUBILITY IN WATER: INSOLUBLE  
APPEARANCE AND ODOR: WHITE SOLID, SOLVENT ODOOR

SECTION IV - FIRE AND EXPLOSION HAZARD DATA

FLASH POINT: 28.0°C  
FLAMMABLE LIMITS IN AIR BY VOLUME- LOWER: 0.7% UPPER: 12.0%

EXTINGUISHING MEDIA: FOAM, CO2, DRY CHEMICAL

SPECIAL FIREFIGHTING PROCEDURES

WEAR SELF-CONTAINED BREATHING APPARATUS WITH A FULL FACEPIECE OPERATED IN PRESSURE-DEMAND OR OTHER SUFFICIENT FLOW RATE.  
DO NOT USE WATER. FLAMMABLE LIQUID CAN RELEASE VAPORS THAT FORM FLAMMABLE MIXTURES AT OR ABOVE THE FLASHPOINT. ELIMINATE AND ISOLATE EACH CONTAINER OR CONTAINMENT. COMBUSTION WILL PRODUCE CO, CO2 AND TOXIC SMOKE.

UNUSUAL FIRE AND EXPLOSION HAZARDS

DO NOT USE WATER. FLAMMABLE LIQUID CAN RELEASE VAPORS THAT FORM FLAMMABLE MIXTURES AT OR ABOVE THE FLASHPOINT. ELIMINATE AND ISOLATE EACH CONTAINER OR CONTAINMENT. COMBUSTION WILL PRODUCE CO, CO2 AND TOXIC SMOKE.  
RECEIVED TIME MAR. 2. 1:29PM

# IMO DANGEROUS GOODS DECLARATION *02:107015*

1 Shipper/Consignor/Sender Sterling Lacquer Mfg. Co. 3150 Brannon Ave. St. Louis, MO 63139		2 Transport Document Number <i>CCA 8927</i>	
		3 Page of pages <i>1 1</i>	4 Shipper's Reference E2808/62808-1/62906-2
5 Consignee Sterling Europe Hoek 76 Unit 55 2950 Boom, Belgium		5 Freight Forwarder's Reference <i>CI43002538</i>	
		7 Carrier (to be declared by the Carrier)	

## SHIPPER'S DECLARATION

I hereby declare that the contents of this consignment are fully and accurately described below by the proper Shipping Name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and national governmental regulations.

10 Vessel/Flight & Date <i>CANAL</i> <i>PRIDE 95620</i>	11 Port/Place Handling <i>MONTREAL</i>	9 Additional Handling Information <i>Attn: Cindy</i> <i>JTA: Sue</i> <i>4 pages</i>	
12 Port/Place of Discharge <i>ANTWERP</i>	13 Destination <i>DOR DRECHT NETHERLANDS</i>		

14 Shipping Marks	Number & Kind of Packages, Description of Goods	GW (kg)	CUBE (m³)
address	170 fibreboard boxes UN1263, Paint, 3, 11 (-2 deg. C.)	3316 kg	2720 L
	21 fibreboard boxes UN1263, Paint Related Material, 3, 11 (-2 deg. C.)	334 kg	336 L

Emergency Phone 1-800-424-9300 or Intl. call collect 001-703-527-3867

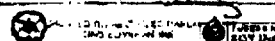
*TGHU-821050-4*

15 CTU ID No. <i>1X40HC</i>	16 Seal No. <i>219154</i>	17 CTU Size & Type	18 Tare Mass (kg)	19 Total Gross Mass (kg) <i>3874</i>
--------------------------------	------------------------------	--------------------	-------------------	---

20 CONTAINER/VEHICLE PACKING CERTIFICATE I hereby declare that the goods described above have been packed/packed into the container/vehicle identified above in accordance with IMDG code 5.4.2	21 Receiving Organization Receipt Received the above number of packages/containers/trailers in apparent good order and condition, unless stated herein RECEIVING ORGANIZATION REMARKS
--	---

22 Name of Company	Hauler's Name	22 Name of Company Preparing Note Sterling Lacquer Mfg. Co.
Name/Status of Declarant	Vehicle Registration No.	Name/Status of Declarant Liz Bilgere, Traffic Mgr.
Place and Date	Driver Name and Date	Place and Date St. Louis March 2, 2005
Signature of Declarant	Driver's Signature	Signature of Declarant <i>Liz Bilgere</i>

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 2  
PAGE 19 OF 19





**INVESTIGATIVE NOTES**  
**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**



**PIPELINE AND HAZARDOUS MATERIAL SAFETY  
ADMINISTRATION HAZMAT SECURITY INSPECTION**



Inspection Date: 5-17-05

Facility Name and Address: St. George Warehouse, Inc.  
775 Belden Ave. Ste. A  
Addison, IL 60101

Company Officials Interviewed:

HELEN K. JONES

Title:

General Manager

1. Does the company offer any of the following for transportation: [§ 172.800(b)]

- ☐ a) A highway route controlled quantity of a Class 7 material.
- ☐ b) More than 55 pounds of a Division 1.1, 1.2, 1.3 in a motor vehicle, rail car, or freight container.
- ☐ c) More than 1 liter per package, of a material poison by inhalation, Zone A.
- ☐ d) A quantity of a hazardous material in a bulk packaging (> 3,500 gallons for liquids/gas, 468 cubic feet for solids).
- ☐ e) >5,000 lbs. (gw) of one hazard class in non-bulk packaging for which placarding of a vehicle, rail car or freight container is required.
- ☐ f) A select agent or toxin listed in 42 CFR, Part 73.
- ☒ g) A quantity of hazardous materials that requires placarding
- ☐ h) None of the above: Security Plan is not required, though Security Awareness Training is still required to be conducted (see page 2, Security Training)

2. Does the company have a written security plan? No

3. Has it been approved by another Federal agency [172.804]?

4. If yes, name of agency \_\_\_\_\_ and date approved \_\_\_\_\_

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 3  
PAGE 1 OF 4

**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**

**INVESTIGATIVE NOTES**  
**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**

5. Does the plan include a security assessment of possible transportation security risks [172.802]?

6. Does the plan include measures to address the assessed risk(s)?

7. Does the plan address personnel security?

8. What method is in place to confirm information provided by employees hired for positions that involve access to or handling of materials covered by the security plan?

9. Is the company adhering to its personnel security plan?

10. Does the plan address unauthorized access?

11. Does the company adhere to the plan to prevent unauthorized persons to gain access to hazmat covered by the plan or transport conveyances being prepared for transportation?

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 3  
PAGE 2 OF 4

**INVESTIGATIVE NOTES**  
**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**

**INVESTIGATIVE NOTES**  
**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**

12. Does the plan address en route security?

---

---

---

13. Does the company adhere to its en route security plan from origin to destination, including private/contract/common carrier?

---

---

**SECURITY TRAINING**

14. Has the company conducted security awareness training (SAT)? \*

(andy + Joe  
due on next TRNG.)  
No (others no TRNG.)

15. Does the security awareness training include a component on how to recognize and respond to possible security threats? \_\_\_\_\_

16. Has each HM employee, hired after March 25, 2003, received SAT within 90 days of hire?

---

17. Has the company conducted in-depth security training (plan specific) for all HM employees by December 22, 2003? \_\_\_\_\_

18. Does the in-depth training program include the following:

a. Company security objectives? \_\_\_\_\_

b. Specific security objectives? \_\_\_\_\_

c. Employee responsibilities? \_\_\_\_\_

d. Actions to take in the event of a security breach? \_\_\_\_\_

e. Organizational security structure? \_\_\_\_\_

**U.S. DOT/PHMSA/OHME/CE**  
**REPORT NUMBER: 05431043**  
**EXHIBIT NUMBER: 3**  
**PAGE 3 OF 4**

**INVESTIGATIVE NOTES**  
**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**

**INVESTIGATIVE NOTES**  
**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**

19. Has the company created and retained records of employee security training?

*No*

Additional Notes

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 3  
PAGE 4 OF 4

[\* Note: A company is not required to test or retain records concerning the new security plan training requirement until an employee's next scheduled retraining or within the 3 year Hazmat Employee training cycle.]

This inspection report assesses your compliance with our Security Plan regulations (49 CFR §§ 172.704 (Training), 172.800 (Purpose and Applicability), 172.802 (Components of a security plan), and 172.804 (Relationship to other Federal requirements)). **This inspection report and any comments made during this evaluation do not constitute an endorsement or approval of your security program in whole or in part. Do not send us a copy of your Security Plan as a part of corrective action. If we need a copy of your Security Plan we will specifically request it in writing.**

I hereby certify that the above responses are true to the best of my knowledge.

Persons Interviewed:

Signature *Debra K Jones* Title GEN MGR Date 5-18-05

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Inspector(s):

Signature *JL Costello* Title HMS Date 5-18-05

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Nothing Follows. \_\_\_\_\_ (Inspector's Initials)

The following website may be helpful in the development and administration of security plans:

[http://hazmat.dot.gov/hmt\\_security.htm](http://hazmat.dot.gov/hmt_security.htm)

**INVESTIGATIVE NOTES**  
**COMPILED AND RETAINED FOR ENFORCEMENT PURPOSES**

**ST. GEORGE WAREHOUSE, INC.**

775 Belden Avenue Suite A  
Addison, IL 60101  
Ph: 630-543-8900 Fax: 630-543-8930

July 12<sup>th</sup>, 2005

To: U.S. Department of Transportation

Attn: Guadalupe Castellanos

Re: Completion of U.S. DOT compliance inspection

Dear Lupe,

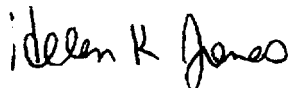
We have completed the Hazardous Material Training, Testing and Certification for all our dock employees.

We have obtained the registration as required by 49 CFR Part 107, Subpart G.

We have also completed our written security and safety plans.

Please advise if there are any additional items that we need to address or correct.

Sincerely,



Helen K. Jones  
General Manager

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 1 OF 13

**ST. GEORGE WAREHOUSE  
775 BELDEN AVE SUITE A  
ADDISON, IL 60101  
PH: 630-543-8900 FAX: 630-543-8930/8980**

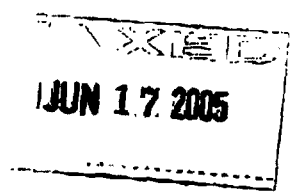
June 17, 2005

PAGE 1 OF 2

To: U.S. Department of Transportation

Attn: Guadalupe Castellanos

Re: Request for Extension

  
JUN 17 2005

Dear Lupe,

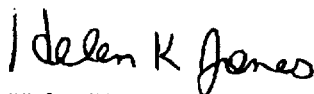
We are requesting an extension to complete the hazmat training of all of our warehouse personnel. We have acquired the proper training materials from JJ Keller and intend to complete the training and certification within 30 days. We will notify you as soon as completed.

We have obtained the registration as required by 49 CFR Part 107, Subpart G and a copy is attached for your review.

We have also completed our written security and safety plans.

Please confirm your approval for the extension and advise if there any additional items that we need to address or correct.

Sincerely,



Helen K. Jones  
General Manager

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 2 OF 13

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION**



**HAZARDOUS MATERIALS  
CERTIFICATE OF REGISTRATION  
FOR REGISTRATION YEAR(S) 2005-2006**

**Registrant:** ST. GEORGE WAREHOUSE CO, INC.  
Attn: HELEN K. JONES  
775 BELDEN AVE SUITE A  
ADDISON, IL 60101

This certifies that the registrant is registered with the U.S. Department of Transportation as required by 49 CFR Part 107, Subpart G.

This certificate is issued under the authority of 49 U.S.C. 5108. It is unlawful to alter or falsify this document.

**Reg. No:** 052605 550 072N    **Issued:** 05/26/2005    **Expires:** 06/30/2006

**Record Keeping Requirements for the Registration Program**

The following must be maintained at the principal place of business for a period of three years from the date of issuance of this Certificate of Registration:

- (1) A copy of the registration statement filed with PHMSA; and
- (2) This Certificate of Registration

Each person subject to the registration requirement must furnish that person's Certificate of Registration (or a copy) and all other records and information pertaining to the information contained in the registration statement to an authorized representative or special agent of the U. S. Department of Transportation upon request.

Each motor carrier (private or for-hire) and each vessel operator subject to the registration requirement must keep a copy of the current Certificate of Registration or another document bearing the registration number identified as the "U.S. DOT Hazmat Reg. No." in each truck and truck tractor or vessel (trailers and semi-trailers not included) used to transport hazardous materials subject to the registration requirement. The Certificate of Registration or document bearing the registration number must be made available, upon request, to enforcement personnel.

For information, contact the Hazardous Materials Registration Manager, DHM-60, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590, telephone (202) 366-4109.

**U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 3 OF 13**

ST. GEORGE WAREHOUSE  
775 BELDEN AVENUE  
ADDISON, IL 60101  
PHONE# 630-543-8900  
FAX# 630-543-8930

FAX TRANSMITTAL

DATE: 9-21-05

TO: Lupe

ATTN: DOT

FROM Cindy

page 6 of 8

Following info You Requested today  
Thanks, Cindy  
   
   
   
   
 

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 4 OF 13



# HAZMAT

## Training Basics



# Training Log

  
**J. J. Keller**  
& Associates, Inc.

Note: The "additional information" columns in the Function-Specific and Safety sections of this training log serve as write-in spaces for company-specific training and/or exercises.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 5 OF 13





**EMPLOYEE CERTIFICATION**

for

**HAZARDOUS MATERIALS' TRAINING and TESTING**

This is to certify that

Isidro Bailon  
has on this date July 7<sup>th</sup> 2005 completed

the training and has been tested on the following

**COURSE OF STUDY**

Hazmat Training Basics  
Joseph Wilson St. George Warehouse  
TRAINER 775 Olden Avenue  
ADDRESS  
Addison IL 60101

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 8 OF 13

# HAZMAT EMPLOYEE TRAINING RECORD AND CERTIFICATION

HAZMAT EMPLOYEE TRAINING REQUIRED		
(X)	General Awareness	Recurrent Training Date(s)
(X)	Function Specific	
(X)	Safety Training	
(X)	Driver Training	

EMPLOYEE NAME LAST FIRST MIDDLE <i>Baird B. Idro</i>	EMPLOYER NAME <i>St. George Warehouse</i>	
EMPLOYEE IDENTIFICATION NUMBER <i>---</i>	LOCATION STREET <i>775 Belden Ave</i>	
POSITION/JOB DESCRIPTION <i>Forklift driver</i>	CITY <i>Addison</i>	STATE ZIP CODE <i>TX 60101</i>

## REGULATIONS

**\$172.704(d) Recordkeeping.** A record of current training, inclusive of the preceding three years, in accordance with this section shall be created and retained by each hazmat employer for as long as that employee is employed by that employer as a hazmat employee and for 90 days thereafter. The record shall include: (1) The hazmat employee's name; (2) The most recent training completion date of the hazmat employee's training; (3) A description, copy, or the location of the training materials used to meet the requirements in paragraph (a) of this section; (4) The name and address of the person providing the training; and (5) Certification that the hazmat employee has been trained and tested, as required by this subpart.

**\$172.704(e) Limitation.** A hazmat employee who repairs, modifies, reconditions, or tests packagings as qualified for use in the transportation of hazardous materials, and who does not perform any other function subject to the requirements of this subchapter, is not subject to the safety training requirement of paragraph (a)(3) of this section.

## INSTRUCTIONS

The training requirements in §172.704 and 177.816 cover four areas of training for hazmat employees. Based on the training required for the above named hazmat employee, provide the training and testing for compliance. Satisfy the recordkeeping requirements in 172.704(d) by completing the information on this form.

SECTION 1 CURRENT TRAINING

[illegible]

SECTION 2	RELEVANT TRAINING
-----------	-------------------

Provide information from previous Hazmat employment training. Attach appropriate current records from the previous employer.

None



## HAZMAT Training Basics Quiz

1. A hazardous material is:

- a. Any substance or material that has been involved in a hazmat incident.
- ☒ b. Any substance or material that can pose an unreasonable risk to people, the environment, or property when transported for business purposes.
- c. Any chemical that is a carcinogen.
- d. None of the above.

2. The transportation of hazmat in commerce in the US is regulated by:

- a. Only the United Nations Recommendations.
- ☒ b. The Hazardous Materials Regulations found in Title 49 of the Code of Federal Regulations.
- c. The Guide to Best Practices for Transportation of Dangerous Goods.
- d. None of the above.

3. Hazmat training is required:

- a. Every three years.
- b. When the employee is transferred to a hazmat function.
- c. Whenever the regulations change.
- ☒ d. All of the above.

4. Which of the following jobs are performed by hazmat employees:

- a. Handlers who load, unload, or prepare packages filled with hazmat.
- b. Manufacturers who construct hazmat packagings.
- c. Clerks who prepare shipping papers.
- ☒ d. All of the above.

5. Hazmat training must include:

- a. General Awareness/Familiarization training.
- b. Function-specific training.
- c. Safety training.
- ☒ d. All of the above.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 10 OF 13

6. Bulk and non-bulk refer to:

- ☒ a. The maximum capacity of hazmat a packaging can hold.
- ☐ b. How many packages of hazmat are in a shipment.
- ☐ c. Whether or not the hazmat is delivered in a tanker.
- ☐ d. None of the above.

7. POP is used for:

- ☐ a. All hazmat shipments.
- ☒ b. Most non-bulk hazmat shipments.
- ☐ c. Only bulk hazmat shipments.
- ☐ d. None of the above.

8. An exception:

- ☐ a. Removes some or all of the HMR's requirements.
- ☐ b. May give a non-specification packaging option.
- ☐ c. Is listed in the HMR.
- ☒ d. All of the above.

9. An exemption:

- ☐ a. Is the same as an exception.
- ☒ b. Gives authorization from RSPA to perform a function that normally is not allowed by the HMR.
- ☐ c. Both A and B.
- ☐ d. Neither A nor B.

10. The HazMat Table:

- ☒ a. Is a list of all the proper shipping names that can be used to transport hazmat in the US.
- ☐ b. Provides information about how hazmat must be prepared for transportation in the US.
- ☐ c. Is found in the HMR.
- ☒ d. All of the above.

11. Proper shipping names are:

- ☒ a. The hazmat descriptions in Column 2 in Roman type.
- ☐ b. Everything included in Column 2.
- ☐ c. Only the words in italics in Column 2.
- ☐ d. None of the above.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 11 OF 13

## 12. The HazMat Table provides:

- a. The hazard class, ID number, and packing group that corresponds with each proper shipping name.
- b. Label codes that indicate the hazard warning labels required on non-bulk packages.
- c. Where to look for information about authorized packagings.
- d. All of the above.

## 13. Hazard Communication under the HMR includes:

- a. Marking, Labeling, and Placarding.
- b. Shipping Papers and Emergency Response Information.
- c. HazCom.
- d. Both A and B.

## 14. Markings are required:

- a. On bulk packages only.
- b. On non-bulk packages only.
- c. On both bulk and non-bulk packages.
- d. None of the above.

## 15. Placards are used:

- a. On bulk packages that contain hazmat or that contain a hazmat residue.
- b. On the exterior of transport vehicles that contain hazmat.
- c. On freight containers, unit load devices, and rail cars.
- d. All of the above.

## 16. Labels and placards:

- a. Are exactly the same.
- b. Are both determined by the label codes in Column 6 of the HazMat Table.
- c. Are used interchangeably.
- d. None of the above.

## 17. Shipping papers:

- a. Describe the hazmat in a specified way for transportation.
- b. Must be prepared by a trained hazmat employee.
- c. May include both hazardous and non-hazardous entries.
- d. All of the above.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 12 OF 13



## 18. Emergency response information:

- a. Tells any hazmat employee how to clean up a spill or leak.
- ☒ b. Is required with most hazmat shipments.
- c. Must be discussed as part of the Function-specific training requirement.
- d. None of the above.

## 19. A hazmat incident:

- a. Includes any unintentional release of hazmat.
- b. Must usually be reported to RSPA.
- ☒ c. Sometimes requires immediate notification of RSPA.
- d. All of the above.

## 20. Segregation requirements:

- a. Are of no importance to shippers of hazmat.
- b. Are of no importance to carriers of hazmat.
- ☒ c. Determine whether certain materials can be loaded and stored together.
- d. None of the above.

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 4  
PAGE 13 OF 13

**UNZCO**  
700 Central Avenue  
New Providence, NJ 07974

# CERTIFICATION OF COMPLETION

This certifies that  
**Joseph Wilson**  
of  
St. George Warehouse

has successfully completed: **Hazardous Materials Transportation Seminar**  
Training and Testing in Compliance with CFR-49, Part 172 Requirements  
Specialized Knowledge and Applications  
(field of study)

Location: Schiller Park, IL

Date: October 17, 2002 - October 18, 2002

Number of CPE Credits: 14-Hrs.

In accordance with the standards of the National Registry of CPE sponsors, CPE credits have been  
granted based on 50-minute hours.  
National Registry of CPE Sponsors ID Number: 105658

\_\_\_\_\_  
Director of Compliance

\_\_\_\_\_  
Employer's Signature

\_\_\_\_\_  
Instructor's Signature

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 5  
PAGE 1 OF 2

# CERTIFICATION OF COMPLETION

New Providence, NJ 07974

**UNZCO**  
700 Central Avenue

This certifies that

**Cynthia A. Jarosz**

of

St. George Warehouse

has successfully completed: **Hazardous Materials Transportation Seminar**

Training and Testing in Compliance with CFR-49, Part 172 Requirements

Specialized Knowledge and Applications

(field of study)

Location: Schiller Park, IL

Date: October 17, 2002 - October 18, 2002

Number of CPE Credits: 14-Hrs.

In accordance with the standards of the National Registry of CPE sponsors, CPE credits have been granted based on 50-minute hours.

National Registry of CPE Sponsors ID Number: 105658

Director of Compliance

*Joe Scarpello*

Employer's Signature

Instructor's Signature

*James J. Jarosz*

U.S. DOT/PHMSA/OHME/CE  
REPORT NUMBER: 05431043  
EXHIBIT NUMBER: 5  
PAGE 2 OF 2